

LOBSTER FISHERY

EVIDENCE

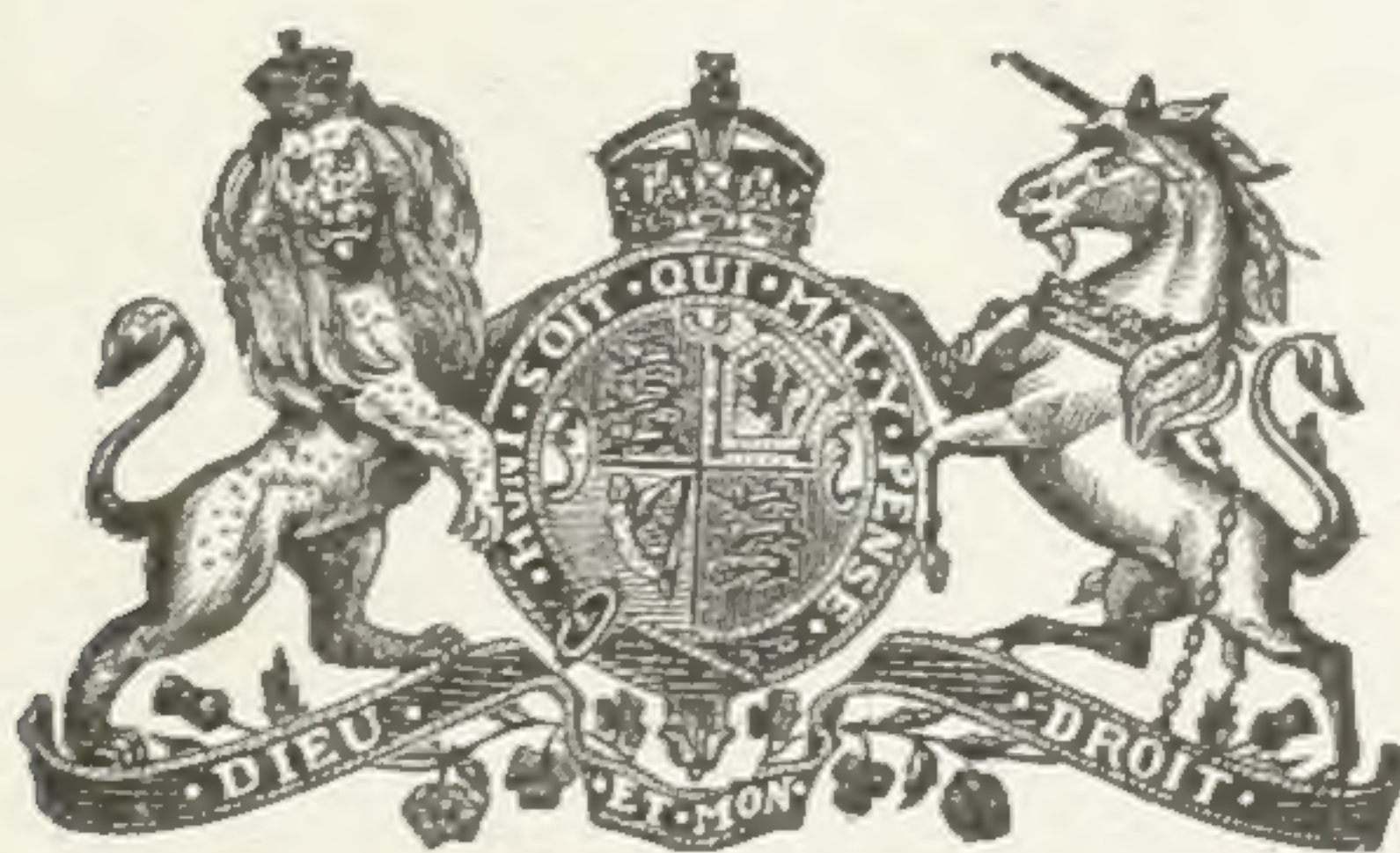
TAKEN BEFORE

COMMANDER WILLIAM WAKEHAM, M.D.

OFFICER IN CHARGE OF THE GULF FISHERIES DIVISION,
IN QUEBEC AND THE MARITIME PROVINCES

PURSUANT TO

ORDER IN COUNCIL DATED JUNE 21, 1909



OTTAWA

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EXCELLENT MAJESTY

1909

ORDER IN COUNCIL

Order in Council appointing Commander William Wakeham, M.D., officer in charge of the Gulf Fisheries Division, Commissioner to investigate the lobster fishery in Quebec and the Maritime Provinces.

Certified copy of a report of the Committee of the Privy Council, approved by His Excellency the Administrator on the 21st June, 1909.

The Committee of the Privy Council, on the recommendation of the Minister of Marine and Fisheries, advise that in pursuance of the Sixth Report of the Select Standing Committee of Parliament on Marine and Fisheries, Commander William Wakeham, officer in charge of the Lower Gulf Fisheries Division, be appointed a commissioner to visit, during the recess of parliament, the chief points in the Maritime Provinces and the Province of Quebec where the lobster industry is carried on, and take further evidence under the direction of the Minister of Marine and Fisheries for the information of the said committee.

(Signed.) RODOLPHE BOUDREAU,
Clerk of the Privy Council.

The Hon. the Minister of Marine and Fisheries.

MINUTES OF EVIDENCE.

PROVINCE OF QUEBEC.

GRINDSTONE ISLAND, MAGDALEN ISLANDS, July 12, 1909.

Pursuant to Order in Council bearing date 21st June, 1909, Commander William Wakeham, M.D., officer in charge of the Gulf Fisheries Division, this day commenced an investigation into the lobster fishery.

After the reading of the order in council, witnesses were examined as follows:—

DOMINIQUE PETITPAS, fisherman, called and sworn:—

By the Commissioner:

Q. Where do you belong at present?—A. Grindstone island.

Q. What is your occupation?—A. Fisherman.

Q. Do you carry on all kinds of fishing?—A. All kinds.

Q. Have you always fished at this place?—A. I have been fishing at Etang du Nord for 15 years.

Q. That is on the other side of this island?—A. Yes.

Q. Can you give me any idea of the number of people in this immediate neighbourhood engaged in lobster fishing?—A. About 60 boats are engaged.

Q. Fishing from Grindstone island?—A. No, Etang du Nord.

Q. How many from the Hospital take part in the lobster fishery?—A. About 25.

Q. And from House Harbour?—A. About the same number.

Q. What is the number from here?—A. About 20.

Q. Are the boats fished by two men generally?—A. Yes, sir.

Q. What is, approximately, the total catch of lobsters in your district?—A. The average catch at Grindstone island is 1,500 to 2,000 cases.

Q. Is the catch decreasing or otherwise?—A. It has been decreasing.

Q. For how long?—A. It has been decreasing since 10 years ago. For the past three or four years the average has been about the same.

Q. Is the total annual catch maintained by the natural supply of the lobsters, or are you using more gear and fishing harder to obtain the same result?—A. Well, I suppose there is more gear.

Q. More gear is used?—A. Yes, to get the same result.

Q. Has the number of traps increased?—A. Yes, of course, as the gear is increasing.

Q. That is what you mean by using more gear?—A. Yes.

Q. It takes a larger number of traps now to catch the same quantity of lobsters that was taken years ago?—A. Yes.

Q. In your opinion is the supply of lobsters kept up by taking smaller lobsters that were formerly rejected? In the early days when you first commenced lobster

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fishing did you get a larger run of lobsters than you do now?—A. Yes, better lobsters than we do now.

Q. There is no doubt about that?—A. No.

Q. How is the lobster fishery carried on here?—A. The fishermen own the boats.

Q. And the gear also?—A. In some places.

Q. How is it in other places?—A. In other places the canner finds the gear.

Q. It has been suggested that for the better regulation of the lobster fishing and the more effective control of the fishermen they should be required to register and take out a license; what is your idea as to that?—A. I do not know. It is a question that I cannot decide whether it would be better or not.

Q. It has been thought that by licensing the lobster fishermen and giving them the right to fish lobsters for the season they would observe the law better and report any violations which came under their notice; do you think such a system would be of benefit?—A. It might be a benefit.

Q. In making this suggestion the idea apparently is to constitute every fisherman receiving a license more or less of an overseer, that having received a document for which there might be a nominal fee, or for that matter no fee at all, exacted, he might be placed in a position of authority and would not only observe the law himself, but see that others did so. Would that appeal do you think to the average fisherman?—A. It might; I do not know.

Q. How does the price paid for lobsters to-day compare with that paid when you first commenced fishing?—A. When we first commenced fishing we got 60 to 65 cents a hundred.

Q. That is a hundred fish?—A. A hundred fish.

Q. They were large fish then?—A. They were large fish, yes.

Q. And now what price do you get?—A. Now, \$3 a hundred.

Q. For a much smaller run of fish?—A. Yes.

Q. Is the custom here not to take the lobsters by weight?—A. In some places they do.

Q. Where they are bought by weight what price is paid?—A. The same price.

Q. You say the practice is to pay \$3 a hundred fish. How much is paid per hundred pounds; do the canners reckon a hundred fish to be 100 pounds?—A. That is just about what they will average here. There is very little difference between the weight and the count.

Q. From your observation as a fisherman what are the spawning months of the lobster?—A. Well, some spawn more or less all the year round, but I think in the spring, the month of May, is the time they most spawn.

Q. Do you see more berried lobsters in the month of May?—A. Yes, in the month of May and June. There are more berried lobsters then than in the fall.

Q. How about the month of June?—A. June and July. Of course the first year we commenced we were fishing those two months—I mean July and August—when we found spawn the whole time we were fishing. I suppose it might be June and July.

Q. Do you think you find as many lobsters with berries on in May as you do in June and July?—A. Of course I never took much account of that.

Q. Do you find lobsters with berries at all seasons of the year?—A. At all seasons, yes, but I suppose there are more about June some time than there would be from May. I know we find some in May.

Q. Does the female lobster come inshore to spawn?—A. That is more than I can tell.

Q. Where do you get the lobsters first?—A. Close to the shore; very close.

Q. Is it not the rule here to set the traps farther out early in the spring?—A. No.

Q. Of what place are you speaking?—A. I am speaking about where I was stationed formerly, Etang du Nord. There we used to get the lobsters closer in shore than we do now. We have to go farther off now.

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Q. How far off shore do the lobster fishermen fish now?—A. As far as three or four miles from the shore.

Q. The reason you fish lobsters close in is that you are not obliged to go far to look for them?—A. We had better fishing inside than we have outside.

Q. Is there any period in the year when the lobsters are not fit for food?—A. That is a question I cannot answer. At those times we were fishing to the 20th August. We did not find much difference; they used to pack the lobsters the whole season.

Q. At what size do you consider the lobster fully matured?—A. Well, sir, there are all sizes. They are pretty mature when about 11 to 12 inches in size.

Q. Do you ever see small lobsters with eggs?—A. Not very small; no, sir.

Q. What size would be the smallest lobster-bearing eggs that you ever saw?—A. About 9 inches.

Q. Are you in a position to say whether the female lobsters spawn every year or not?—A. Well, I think they do spawn every year.

Q. Some people say they spawn only every second year, others that they only spawn once a year and others again that they spawn twice a year?—A. I think they spawn every year.

Q. And only once in the year?—A. Well, that is as far as I think; they only spawn once in the year.

Q. Have you never seen a female lobster smaller than 9 inches with berries attached to her?—A. Not that I remember.

Q. What is the average size of the lobsters with berries on them that are taken in this locality?—A. 10 to 12 inches taken with berries.

Q. Do you find many lobsters with berries?—A. Sometimes you find a good many.

Q. What proportion of the catch would they make?—A. Perhaps in 100 lobsters you may find 10 or 12 with berries.

Q. What is the proportion of female lobsters below 8 inches in size bearing eggs?—A. I don't remember that I have seen any below 8 inches.

Q. What is the proportion between 8 and 9 inches?—A. The proportion between 9 and 10 inches having eggs is not as plentiful as from 10 to 12 inches.

Q. There is no exportation of live lobsters from here?—A. No.

Q. It has been suggested that it would be a good idea to charge the canners 25 cents a case, instead of 2 cents as at present, and in that way raise a fund for the purchase of seed lobsters from the fishermen, either placing the lobsters in pounds to spawn or removing the eggs and hatching them in hatcheries?—A. That looks all right.

Q. Is the existing regulation for the protection of the berried lobster observed?—A. Well, there has been a rule, but I don't know when it was strictly observed.

Q. Do you think that all the lobsters caught, berried and non-berried, are brought to the cannery?—A. They are all brought to the cannery.

Q. Are the berried lobsters brought in with the berries on them or are they first stripped off?—A. As far as my experience goes they are brought in with the eggs on them.

Q. And the canner takes the lobsters with eggs attached?—A. Yes.

Q. Could you suggest any change in the regulations that, in your opinion, would work for the better protection of the lobster fishery?—A. I would suggest that if there was a hatchery and we could save those eggs it would be a protection for the fishery.

Q. Is stripping or washing off the eggs from the berried lobsters practised here?—A. Not much. We have tried it ourselves, but we thought every time we were killing those eggs; it was no use washing them off and destroying them. They were not ripe, and we thought that by taking them off they would be lost in the same way as if we had bought the lobsters to the cannery.

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Q. So you brought the lobsters in with the eggs on?—A. We left the eggs on, yes. We tried it, but it was hard to get them off before they were ripe, and we thought we were killing them; it would be no use, they would never come to maturity.

Q. Do the canners make any scruple about accepting berried lobsters?—A. Not that I know.

Q. Do the canners make any examination for the purpose of detecting berried lobsters, or is delivery made in bulk under conditions which render detection difficult?—A. No, they used to take the lobsters as they came.

Q. You mean by that, they always did take berried lobsters and still do so?—A. As long as I was fishing myself.

Q. Are you fishing yet?—A. No, sir, I have not fished these six years.

Q. If the canners refused to take berried lobsters would the fishermen not be compelled to return them to the water?—A. Yes, sir, of course.

Q. Do you think it would be possible to get the fishermen to return to the water all the berried lobsters they took?—A. The only way would be for the packer to refuse them.

Q. If he did not refuse to accept the berried lobsters the fishermen would bring them ashore?—A. As long as the packer did not refuse them the fishermen would bring them ashore.

Q. It has been suggested that one method of protecting the berried lobsters taken in the traps would be for the government to buy them from the fishermen at a slight advance on the price paid by the canners, and then either place them in pounds or remove the spawn and set it in hatcheries, liberating the lobsters when the fishing season closed; what is your opinion of these suggestions?—A. I think it would be a fine thing. It would be all right. It would give more chance to save the spawn lobsters. One suggestion is about as good as the other.

Q. Are you aware of any fishermen having lost their catch of lobsters by the canners refusing to accept them?—A. On account of the spawn?

Q. On account of any reason at all?—A. No.

Q. Are you aware of any fishermen having had their catch of lobsters thrown back on their hands for any reason at all?—A. I am aware of some of the lobsters being refused when too small.

Q. What would you call too small?—A. Under 7 inches, I think they used to refuse them.

Q. The Lobster Commission of 1898 recommended that temporary reserves, where lobster fishing should not be allowed for two or three years, should be established along the coast, the location of such reserves to be changed from time to time; how do you think that would work?—A. I believe that would do good and allow the lobsters to increase, but it would hurt the fishermen who fish here.

Q. Would not the fishermen get some other employment during the prohibited period?—A. Well, in a place like this it is very hard sometimes to get fishermen other employment.

Q. Is the present regulation restricting the number of canning licenses satisfactory to the fishermen?—A. Well, I don't hear any complaint from the fishermen.

Q. Are you in favour of limiting the issue of licenses to can lobsters, or would you give a license to every man that asks for it?—A. That is a question pretty hard for me to answer.

Q. You as an intelligent fisherman might have some view on the subject?—A. I have got this much view: One fisherman has as much right to have a license as another.

Q. Do you think every man is competent to put up lobsters?—A. Well there might be something in that. I don't see how that can do it, but I suppose any one that undertook to put up lobsters it is his own lookout to put them up good.

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Q. You do not think that is a matter which concerns the department or the public at all?—A. I don't think so. It only concerns himself. If fishermen do not put up good lobsters they cannot get any price for them.

Q. It has been asserted in some districts that if lobster fishing were still further restricted the canners would have to close down. Supposing the size limit were made 9 or 10 inches instead of 8, how would it affect them?—A. I suppose it would affect them.

Q. Do you think the canners would continue to operate?—A. I suppose they would go on canning the big lobsters as far as they could, but certainly it would hurt the canner.

Q. Supposing all the canneries here were closed what market would the fishermen have for their lobsters?—A. They would not have any.

Q. If the present size limit of 8 inches were strictly enforced what effect would it have upon the canneries?—A. I think it would be all right as far as I know.

Q. In the event of repeated violation of the law by a canner do you think his license should be cancelled?—A. If such were the case it would pay him better not to violate the law.

Q. If the law were enforced in that way do you think it would be better observed by the canner?—A. Yes.

Q. Do you think there are sufficient canneries at present?—A. I think so.

Q. In your opinion if there were more canneries would the fisherman get a better price for his lobsters?—A. No, I do not think so.

Q. You think there is competition at present?—A. There is competition I suppose.

Q. Is there a combination on the part of canners to keep down the price paid for lobsters?—A. I hear sometimes when they hurt the fishermen that there is a combine to establish a price.

Q. Is the price now paid an unfair one?—A. The people are getting now what I think is a fair price. This year the price is lower.

Q. To what is that due?—A. Because the price of the canned article is lower.

Q. Do you think that more canneries would mean the packing of more undersized lobsters?—A. No, I don't think it would. They pack what is good to pack now.

Q. Do you think the canners ever reject any lobsters?—A. When the lobsters are very small they do.

Q. What do you call very small?—A. I think about 7 inches; we would call them pretty small.

Q. Q. Do you think the shipment of live lobsters should be favoured in preference to the canning industry?—A. I think if we had a market for live lobsters it would be preferable.

Q. In your opinion is the shipment of live lobsters from here commercially feasible?—A. I think it is very hard to do it here.

Q. You have not the means of transportation here?—A. No.

Q. Would you favour closing down the canneries here for some years as a means of renewing the lobster industry?—A. No, sir, I would not.

Q. Would you refuse a canning license to an alien?—A. No; I do not think it makes any difference.

Q. It has been asserted that a strict enforcement of the present size limit would result in closing down the canneries?—A. I don't think it would here. The lobsters here are too good a size for that.

Q. Do you know of any instance where a canner has failed to operate his factory although lobsters were plentiful?—A. No.

Q. Who fixes the price paid for lobsters?—A. The canner.

Q. Are you aware of any complaint made by the lobster fishermen that the price paid by the canner was not satisfactory?—A. Sometimes they have complained that

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one fellow would get a little more than another. It is all competition amongst the fishermen as to selling. You know how it is.

Q. Could the fishermen make more money if they were allowed to can?—A. Well, I do not think it would make much difference, because some of them have tried it already and given it up.

Q. Would you consider the plan adopted by the department satisfactory, that is, of granting a canning license to one of a number of fishermen, from 15 upwards, who co-operate together for the purpose and agree to share losses and profits?—A. That is the way a good many act here—four or five fishermen will combine together.

Q. Can you say from your own experience whether hatcheries have helped to maintain the supply of lobsters? You never had one here?—A. Never had a hatchery here. I should think it would help the industry if we had one.

Q. Would you recommend the establishment of a hatchery on the Magdalen islands?—A. Yes I would.

Q. What about the establishment of pounds? You have here what are called lagoons?—A. Yes, sir.

Q. Do the lobsters enter the lagoons?—A. Yes, they go into the lagoons.

Q. When do they enter?—A. About this time they commence to go in, about the middle of July.

Q. Why do the lobsters go into these lagoons?—A. We all believe they go in to breed.

Q. Why should they go into the lagoons to breed?—A. Perhaps they have got more shelter there. There is a lot of eel grass in the lagoons and the water is warmer, it is shoaler.

Q. You think it is right for the department to protect the lobsters in the lagoons?—A. I think so.

Q. You think the regulation is a good one?—A. I think so.

Q. Do you think it is owing to the protection given to the lobsters in the lagoons that the fishery has not been so depleted here as in some places?—A. I think so, because they are the only places where the lobster can get in to breed in the summer, and as far as we have got the experience I think it is a good way to have the lagoons protected.

Q. What proportion of the lobsters caught here are below 9 inches?—A. I should think we are getting one-quarter of the lobsters below 9 inches.

Q. What proportion of the catch is between 7 and 9 inches? You are unable to say that definitely?—A. Yes, sir.

Q. What proportion of the lobsters found in the traps are less than 7 inches in size?—A. Very few when I was fishing.

Q. You are not fishing to-day, but you know what goes on, do you not?—A. There are more small lobsters than when I was fishing.

Q. Would you favour an increase in the size limit from 8 to 9 inches?—A. I think 8 inches is about right.

Q. Some people suggest that the small lobsters should be caught and the big ones allowed to escape?—A. I don't believe that catching the small lobsters hurts the fishery as much as taking the spawn lobsters. It rests with the packer whether he thinks he can make money out of 6 or 7-inch lobsters; if it is good for him.

Q. A certain proportion of these lobsters are females and the destruction of them at one time is just as bad as at another?—A. I should think so myself.

Q. Then you would protect berried lobsters and allow the canner to pack the small ones?—A. That is not too small, but up to the size he is taking now.

Q. Does a difference in the temperature of the water retard the growth of the lobster?—A. That is more than I can tell.

Q. Has there been any noticeable decline in the average size of the lobsters caught in this district within the last ten years?—A. I think so.

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Q. To what do you attribute that decline in size?—A. The lobsters getting scarcer.

Q. Why?—A. Because they have commenced to be fished out.

Q. You do not think it is because the lobsters do not attain to the size they used to?—A. I do not.

Q. Because some people claim the lobsters of to-day are a smaller species. Is it in the interest of the lobster fishery that lobsters should be taken before they have reached the age of reproduction?—A. Well, as you said a little while ago, if you kill off the small lobsters there is no spawn, that is if they are caught too young or too small before they can reproduce themselves.

Q. Is it correct that the larger the lobster the less number it takes to fill a pound can?—A. It will take a less number.

Q. There are people who claim that the very large lobsters are not as profitable as the medium sized ones?—A. Not according to the size. Generally they are not so full of meat as the medium sized, but all told they have got more meat and it won't take so many to make up a can.

Q. Would you favour taking small lobsters and letting the larger ones escape?—A. I think it would be better to take the big lobsters and save the small ones.

Q. It is estimated that it takes nine 7-inch lobsters, which lobsters have not been afforded the opportunity of reproduction, to fill a one-pound can. At that rate what effect will the continued fishing of these immature and berried lobsters have upon the industry?—A. It will hurt the fishery, I suppose.

Q. Do you think it will seriously hurt the industry?—A. I think it will. By and by we will have no lobsters at all.

Q. Do you think it would be better to have no size limit at all, but allow the canner to pack any size he pleases, and in return for that shorten the season somewhat?—A. No, I don't think so.

Q. I mean always providing for the protection of the berried lobsters?—A. That might work. But we have got the season very short as it is. Some times we cannot commence fishing here until the 15th May.

Q. Still a great many canners close down before the expiration of the season?—A. Sometimes.

Q. What packers continue operations until the season ends?—A. There are a few.

Q. They are, as a rule, the small associations of fishermen?—A. They always fish up to the close of the season.

Q. Could a size limit of 10½ inches be maintained here without detriment to the lobster industry?—A. Yes.

Q. Do you think the fishing could be maintained here with a size limit of 10½ inches?—A. The factory? No, I don't think it.

Q. The policy contemplated by the regulations is the taking of the large lobsters and leaving untouched the small ones. What kind of a trap is best calculated to promote that result?—A. They can easily do that by having the laths in the trap farther apart.

Q. They would not catch many small lobsters then?—A. No, not by having the laths farther apart so that the lobsters can go in and out.

Q. Is it true, as stated, that 30 per cent more lobsters by count are required in the fall to fill a one-pound can than in the months of May or June?—A. I cannot tell you that.

Q. Is it true that the size limit has never been recognized in this district?—A. I don't think so. It has been recognized.

Q. What do the fishermen do with the small lobsters?—A. They sometimes bring them to the canner and if too small throw them overboard.

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Q. Do you think if the fishermen fished farther off shore, the schools of immature lobsters would be better protected?—A. I don't think there is anything to be gained by fishing farther off shore.

Q. When does the season open here?—A. On the 20th April, and it closes on 10th July.

Q. And you fish a month in the fall, the month of September?—A. Yes.

Q. During what portion of the open season is the fishing most actively prosecuted?—A. In May.

Q. Have you any change in the season to suggest?—A. No, sir.

Q. Do you think it would tend to perpetuate the lobster fishery if the season were shortened?—A. I don't think it would be any better.

Q. What about the September fishing?—A. It suits some people and some it does not. It suits Pleasant bay, but not out of it, not on the north side of the island.

Q. At what period do you say the catch of lobsters is best?—A. From about the 15th to the last of May.

Q. If the season were shortened should it be at the beginning or latter part?—A. Take it off the end part.

Q. If you were framing regulations for the control and perpetuation of the lobster fishery in the Magdalen islands what would you suggest?—A. I think about 8 inches size limit.

Q. And how long a season?—A. The season is about right as it is now.

Q. Including September?—A. Well, September is all right for some parts of the island; more parts they get no benefit from it.

Q. The delay in commencing fishing caused by ice has led to an application for fall fishing in some districts?—A. That has happened here before; that we were very greatly delayed on account of ice in the spring.

Q. On the whole, do you favour fall fishing?—A. I favour it in some parts of the island that get the benefit under it.

Q. Is there anything else you desire to suggest?—A. Nothing else.

Witness discharged.

DAVID GEDDES, packer, Etang du Nord, sworn and examined:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. About 25 years.

Q. When did lobster canning first begin on the Magdalen islands?—A. Eighteen seventy-eight, I think, was about the first year they started at House harbour. In 1879 they started at Etang du Nord.

Q. What regulations were in force then?—A. None.

Q. Can you tell me how many persons are engaged in the lobster fishery from Grindstone island?—A. I could not say exactly because the fishermen also come from Grand Entry and Byron island.

Q. How many boats are fished?—A. From Etang du Nord, 60; from Hospital, 30 or 40.

Q. That is about 100 boats?—A. On the north side of the island.

Q. Now, from Basque harbour to House harbour?—A. On the south side about 20.

Q. How many cases of lobsters are put up from Grindstone island, taking an average year?—A. I suppose the same this year as last, about 2,000 cases.

Q. How does that compare with the quantity put up 20 years ago?—A. It is not one-half.

Q. And to put up that number of cases have you as many boats employed as you had 20 years ago?—A. There are more boats to-day.

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Q. And a great deal more gear?—A. Yes.

Q. Is the annual catch decreasing or otherwise?—A. Well, the catch of lobsters varies in the season here. Some seasons are rough and the fishermen get their traps broken up. Some seasons there are more lobsters than others.

Q. On the whole, what would you say?—A. On the whole, the lobsters are decreasing.

Q. Is the total annual catch maintained now by the natural supply or by the aid of increased gear and closer fishing? It is a fact, is it not, that you have increased the gear and have to fish harder for what you get?—A. Yes.

Q. Has the number of traps increased?—A. They have not increased this year; there are not as many as last year.

Q. There are not as many canneries in operation as there used to be?—A. No.

Q. In your opinion is the supply of lobsters being kept up by taking smaller lobsters that were formerly rejected and using a much greater amount of gear?—A. I don't think the small lobsters figure in it at all in this island, on our side. There is not a great quantity of small fish on the north side of the island.

Q. The average size is pretty well maintained then?—A. Yes, as you will see by the measurements taken this year.

Q. On what basis is the fishery carried on in your district; do the fishermen own the boats and gear?—A. Some of them do. Most of them the packers supply.

Q. With gear and boats?—A. Yes.

Q. It has been suggested that for the better control of the lobster fishery the fishermen should be required to register and take out a license at a nominal fee. What do you think of that?—A. I don't think they could pay much for a license.

Q. Supposing there should be no fee? You do not think it would make much difference?—A. No.

Q. The idea is that it would cause the fishermen to better observe the law and report any violations they happened to see. Do you think it would have any effect in that way?—A. Not very much, I think.

Q. It has been suggested that a Board should be created to advise the department as to the administration of the lobster and other fisheries. What do you think of the proposition?—A. That would be a good thing.

Q. How does the price now paid for lobsters compare with that paid when the industry was first started?—A. Well, when it first started the packers paid 40 or 50 cents a hundred. Last year we paid 42.

Q. This year the price has fallen?—A. It is \$1.25 this year.

Q. What was the reduced price owing to?—A. Due to the fall in the market.

Q. Are the fishermen always paid by the number of lobsters rather than by weight?—A. By the number of lobsters.

Q. How many lobsters will you run here to the hundred pounds?—A. We weighed a few this year and they went about 5 pounds over the hundred.

Q. That is 100 lobsters weighed 105 pounds?—A. Yes. Last year they were not so good. The lobsters have turned out better this year.

Q. There were more in them?—A. Yes.

Q. Speaking from your observation as a fisherman and packer, what are the spawning months of lobsters?—A. Well, I think August is the chief month, some of them spawn earlier, but I think the bulk of them spawn at that time. When they commence fishing in September you can tell the lobsters that have spawned, they all have new shells and the claws are very small.

Q. Do you find lobsters with berries on them in September?—A. I don't remember having seen them—an odd one perhaps, but they are very scarce.

Q. Do the female lobsters come inshore to spawn?—A. They go into the mud, I think.

Q. Is there any period when lobsters are not fit for food?—A. Well, I don't know as to that. They would not be as good when shedding their shell, I think.

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Q. At what size is the lobster fully matured?—A. It is pretty hard to say. Some lobsters get old and they are not large; they don't all grow to the same size. I suppose like other fish there are always some small and others larger.

Q. Can you say whether the female lobster spawns every year, or every two years, or twice a year?—A. I cannot say.

Q. What is the smallest size female lobster carrying eggs that you have seen?—A. I never measured them, but I have seen them about 8 or 9 inches carrying eggs.

Q. Have you seen them below 8 inches in size carrying eggs?—A. No.

Q. What is the average size of the lobsters taken in your district?—A. I could not say.

Q. There are no berried lobsters exported from this district?—A. No.

Q. What do you think of the proposition to collect a fee of 25 cents from the canner towards a fund for the purchase of berried lobsters from the fishermen?—A. I would not advocate that.

Q. Is the existing regulation for the protection of the berried lobster observed?—A. I do not think it is.

Q. Is there any attempt made to enforce the regulations?—A. I do not know of any.

Q. Would you suggest any change in the present regulations, and if so what?—A. Well, if they would build a hatchery they would be able to take care of the spawn lobsters here I suppose.

Q. What percentage of the lobsters found in the traps bear eggs?—A. I could not exactly say, but there is not a great many, perhaps 5 per cent.

Q. What disposition do the fishermen make of the berried lobsters they find in their traps?—A. Some may throw them away. I think that is what the most of them do.

Q. Is the practice of stripping or washing off the berries from the female lobster followed here, and, if so, to what extent?—A. I could not say because I do not know what the fishermen do out in their boats.

Q. Do the canners make any scruple about accepting berried lobsters?—A. I think so. We have spoken to the fishermen about it and told them not to bring berried lobsters in.

Q. Do the canners make any examination for the purpose of detecting berried lobsters when the catch is brought in?—A. I do not know that they do.

Q. Are the lobsters brought to the factory under conditions which render difficult the detection of those with berries; you count the lobsters, do you not?—A. They are counted, yes.

Q. Therefore in counting the lobsters there must be some opportunity of detecting those with berries on? If the canners refuse to take berried lobsters would it not induce the fishermen to return them to the water?—A. I suppose it would.

Q. Would it be difficult to get the fishermen to return to the water all berried lobsters taken in their traps?—A. If they were paid for them it would not.

Q. You think they are the berried lobsters for the momentary gain they derive? Are they as bad as that?—A. That is the way they feel most of them.

Q. Do the fishermen not realize the necessity of preserving the berried lobsters?—A. They do not think they will get scarce.

Q. What do you think of the idea of buying the berried lobsters from the fishermen at a slight advance on the price paid by the canners and liberating them or placing them in pounds to spawn?—A. Well, my idea is it would be no use to throw them back into the water because the fishermen would catch them again next day, a lot of them. If placed in pounds a lot of them would die, I should think.

Q. That depends a great deal upon the nature of the pound I should imagine. It ought to be possible to establish pounds?—A. Take it on our side, the north side, there is no place you could keep them. They ought to be carried to House harbour and thrown into the lagoons.

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Q. Another suggestion is to buy the berried lobsters and place the eggs in a hatchery to be hatched out?—A. I would advocate that.

Q. At what period of the season are berried lobsters most numerous?—A. That is pretty hard to say. There are times in the spring first when you will see a great many, and sometimes it will be later.

Q. Speaking generally, would you venture to say whether you would see more in the spring than in the fall?—A. Oh, yes, there would be more in the spring than in the fall.

Q. Are you aware of any fishermen having lost their catch of lobsters by the canners having refused to take them?—A. No, sir.

Q. What do you think of the idea of establishing temporary reserves and changing the location of these reserves from time to time?—A. It might be a good idea. I don't think it would be.

Q. You would not have much faith in that scheme?—A. No.

Q. Is the present regulation restricting the number of canning licenses satisfactory to the fishermen?—A. I don't know that it is in some places. I have heard complaints where the fishermen say they could not get licenses and they thought it was wrong for the government not to issue any more.

Q. Would you limit the number of canning licenses or give a license to every man competent to pack lobsters?—A. Yes, I would be in favour of that, to every one competent.

Q. How would you determine the man's fitness to pack?—A. It would have to be a question if he had done it before and knew how. It is not a great art to learn. There are a good many small factories, not having as much help as they should, that don't put up lobsters as good as they should.

Q. Do you think a standard should be established as to quality of packing and that there should be an inspection of the product?—A. I think there should be.

Q. Would that be a good way of establishing the competency of an applicant for a canning license?—A. Yes, I think it would be a very good way.

Q. I suppose there are canneries where the product is put up very loosely and slovenly?—A. Yes.

Q. It has been asserted that if the catch of lobsters is further lessened the canners may have to shut down for lack of supplies; what do you say as to that?—A. There are lots of lobsters caught now. Last year and the year before there were more caught than in the years previous. Take Prince Edward Island and all up the Straits of Northumberland—

Q. You think there has not been a further falling off within the last few years?—A. No, I don't think so. You have noticed the live lobsters going into the United States the last few years, they have increased.

Q. The size limit of lobsters entering the Boston market has been reduced, has it not?—A. Well, that would do it.

Q. Do you think the canneries would have to close down for lack of supplies if the catch of lobsters was further lessened in any way?—A. No, I do not.

Q. You think there still would be a margin left upon which the canneries could operate?—A. Yes, from the number around here. I do not know about other places.

Q. Would the fishermen in this district have any other market for their lobsters if the canneries here were closed?—A. No, I think not.

Q. You cannot export live lobsters from here?—A. Not successfully.

Q. If the present size limit were strictly enforced what affect would it have upon the canneries here?—A. I don't think it would have much effect here.

Q. In your opinion are the present penalties sufficient to deter the canners from violating the regulations if they were enforced?—A. I do not know.

Q. Is any attempt made to enforce the regulations?—A. Well, the inspector comes around I think once or twice a year.

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Q. Do the officers ever fine anybody?—A. I do not think they have fined anybody lately.

Q. Have you ever known of anybody being fined for violating the regulations?—A. Oh, there have been, I think.

Q. In the event of persistent violation of the regulations would you cancel a canner's license?—A. Yes, I certainly would if he persisted in it after being notified or warned.

Q. In your opinion has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further licenses be discouraged?—A. Yes, I should say they should be discouraged, because I think there are enough.

Q. You think there are canneries enough?—A. Yes.

Q. There are not as many here as there used to be?—A. I do not think there are.

Q. Why is the number less than it used to be?—A. Most of the small canners have dropped out.

Q. They were not forced out of business in any way by the department, but dropped out of their own accord?—A. Yes.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. No doubt it would.

Q. Should the shipment of live lobsters be favoured in preference to the canning industry?—A. No, I think it is better for the community if the lobsters are canned.

Q. Would you favour closing down the canneries for a time in the interests of the lobster fisheries?—A. No, I do not think I would.

Q. In saying that you are speaking solely for your own district?—A. Yes.

Q. Would you refuse a canning license to an alien?—A. No, I would not.

Q. Was the lobster industry here first started by aliens?—A. Yes.

Q. The labour employed is all Canadian?—A. Yes, on these islands.

Q. Have the canners reduced the price paid to the fishermen for lobsters?—A. They have reduced the price this year on account of the market.

Q. Are you aware of any combine ever having been entered into for the purpose of keeping down the price paid to the fishermen?—A. No, it has been the other way. There has been competition putting prices up.

Q. Do you know of any instance of a canner failing to operate his factory and thus causing loss to the fishermen?—A. I do not think so.

Q. It has been alleged that this has been done in some places with the object of squeezing the fishermen. Has that ever occurred here?—A. No.

Q. Who fixes the price paid for lobsters?—A. The packers.

Q. By that statement do you mean the individual packer or is there any collusion in the matter? Can any packer pay what he pleases?—A. Yes, that is what has been done here.

Q. Are different prices paid in different parts of the islands?—A. There have been different prices, yes.

Q. Are you aware of any complaints by the fishermen that the price paid by the canner is not satisfactory?—A. They will never say they get enough.

Q. Could the fishermen make more money if they canned lobsters themselves?—A. No, I do not think so. They tried that once, but dropped it again.

Q. Would it be in the interest of the lobster industry to permit everybody to can? Would not the thing even itself down in course of time?—A. Yes, it has done so before. A number of fishermen joined together and packed lobsters, but dropped it after a time.

Q. There was a time here when there was no limit to the number of canneries?—A. Yes, but now they are not as they used to be.

Q. You say that fishermen have united here and packed their own lobsters. What measure of success rewarded their efforts?—A. It has been done, but they did not make a success of it and dropped it.

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Q. From your experience can you say whether the government hatcheries have helped to maintain the supply of lobsters?—A. I think they have.

Q. Can you cite an instance establishing the fact?—A. Take up the Northumberland straits from Pictou island and along there. The lobsters have kept up more there than round this way. They seem to get about the same there every year.

Q. Have you anything to suggest which, in your opinion, would still further improve the efficiency of the hatcheries?—A. We want one here.

Q. Judging from your observation of the excellent results of the operation of these hatcheries you would recommend an increase in their number?—I would.

Q. You would like to see one or more established here?—A. Yes, sir.

Q. Have you any observations to make with respect to the system of breeding lobsters in pounds?—A. No.

Q. You have here what practically amounts to the same thing in your lagoons?—A. Yes.

Q. Why do the lobsters go into these lagoons?—A. To spawn, I think, and shed their shell.

Q. What explanation would you give for their going into these lagoons to spawn?—A. It is a protection for them I think.

Q. The bottom suits them; there is eel grass and the water is warmer?—A. And there is soft mud they can go into.

Q. The temperature of the water in the lagoons must be warmer than that of the water outside?—A. Yes.

Q. Do you favour the prohibition of lobster fishing in the lagoons?—A. Yes.

Q. Do you think the protection thus afforded the lobsters has anything to do with the fairly good condition of the lobster fishery about the Magdalen islands?—A. This September fishing has, I think, hurt the fishery in the Islands.

Q. You are opposed to fall fishing?—A. Yes.

Q. Would you favour a return to the former size limit of 9 inches?—A. No, I would not.

Q. Would you favour any reduction in the present size?—A. I would be in favour of having no size limit, but protecting the spawn lobsters. That is my idea of it.

Q. Would it be a reasonable or good protective measure to abolish the size limit and in return shorten the season somewhat?—A. That is what I would suggest.

Q. That is abolish the size limit, shorten the season at the end, and protect the berried lobsters as strictly as possible?—A. Well, here in the Magdalens on the north side our season is too early now to my mind by 15 days. The 15th May is early enough to open the canneries on the north side. I have been connected with the industry 27 or 28 years, and on the average the opening of the season has been past the 20th May; we could not open any sooner on account of the ice and storms. Even this spring we lost most of our traps when we put them out.

Q. Have you at Etang du Nord, as a rule, fished up to the very last of the season?—A. Not generally; sometimes we did.

Q. A good many canners I know close down before the end of the season?—A. We have the last couple of years, I think, fished up to the end of the season, the 10th July.

Q. But you would cut out September fishing?—A. Yes.

Q. To what do you attribute the decline in the size of the lobsters, overfishing?—A. Yes, overfishing, I think.

Q. It is not due to the growth of a smaller race of lobsters?—A. No, I think not.

Q. An expert has suggested that a minimum size limit of 9 inches be established for the waters north of Cape Breton and of 10 and 10½ south and west of Canso. What do you say as to that? Do you know anything of the conditions on the Atlantic

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coast?—A. Yes, I was born and brought up there. That would not suit them. They get about the same size lobsters as down here.

Q. Different size limits and seasons in adjoining waters are said to be unsatisfactory and to encourage violations of the law. What is your opinion?—A. I should think they would sure. Down in Nova Scotia they have a longer season than we have here.

Q. Where they have the live lobster trade their season begins earlier and they fish very much longer?—A. They commence 15th December and fish along there. I should say two months is long enough in the gulf.

Q. You do not fish two months here? What is your average number of fishing days?—A. I could not say exactly.

Q. Between 35 and 40 would you say?—A. Certainly not more than that.

Q. Is it a fact that the larger the lobster the less number it takes to fill a pound can?—A. Well, yes, I suppose so. But there is a medium sized lobster—

Q. That is the most profitable?—A. The most profitable.

Q. What is the most profitable lobster for canning purposes?—A. The lobster about 10 to 10½ inches.

Q. It is estimated that it takes nine 7-inch lobsters—which lobsters have never been afforded an opportunity of reproduction—to fill a pound can. Will not the taking of such lobsters, and berried lobsters as well, soon deplete the fishery?—A. It looks as though it would deplete it.

Q. It has been stated that a strict enforcement of the 8-inch size limit together with the assistance of hatcheries and pounds would maintain the industry?—A. I think it would.

Q. Could a size limit of 10½ inches be maintained here without detriment to the canning industry?—A. Not here.

Q. You would not favour a minimum size limit of 9 inches?—A. I think 8 inches would be better.

Q. The policy contemplated by the department is that the large lobsters should be taken and the small ones allowed to escape. Is there any kind of trap adapted for that purpose?—A. Yes, that the small ones could get out of.

Q. Why is that not done?—A. The small ones do not go out of the traps. They come in over the boat and are held with the rest. But we never see many here under 7 inches; there may be an odd one, but not many.

Q. You think the trap in use is best adapted to the needs of the fisherman?—A. I think so.

Q. Would any object be gained by keeping the slats farther apart?—A. I do not think it.

Q. Is it true, as stated, that 30 per cent more lobsters by count are required in the fall than in the months of May and June to fill a pound can?—A. I think so.

Q. Is it true that the size limit has never been recognized in this district?—A. I don't think it has.

Q. What disposition is made of the lobsters taken below the size limit?—A. They are canned. There are never many taken here.

Q. Do you think lobster fishing should be kept out farther from the shore, and would this give better protection to the schools of immature lobsters?—A. I think that would be a good idea.

Q. Why do you think so?—A. The fishermen get bigger lobsters outside, and they would not lose their traps, which get broken up in the storms. In fact, they have to go out now to get the fish; they don't get many close to the shore.

Q. Is it the practice while off shore in the spring to bring the traps closer in?—A. In some places. At other places they go out seven or eight miles and keep well out all the season.

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Q. Why would you prevent people from fishing early in the season?—A. Because on the north side they lose their traps if they put them out.

Q. When is the lobster fishing at its height here?—A. From the middle of May to the middle of June with us.

Q. Is it the same in that respect in the bay as at Etang du Nord?—A. I think in the bay on the south side it is a little earlier.

Q. In your opinion, would a short open season without any restriction as to size result in a depletion or an increase in the supply of lobsters?—A. I think it would result in an increase.

Q. Have any live lobsters been shipped from this district?—A. There have been a few, but it has not been a success.

Q. Why?—A. The lobsters died in transit.

Q. What facilities would be needed to promote the live lobster trade?—A. There would have to be a steamer to connect with the Boston boat, I suppose from here to the Strait of Canso.

Q. That would involve cold storage facilities?—A. Yes.

Q. It is suggested that in a few years the canning industry will be replaced by the live lobster trade?—A. Well, it may, but I don't think it will be done away with altogether, not for a great number of years anyhow. They would not be able to find a market for all the live lobsters during the season they are caught. Take all the lobsters that are around the Gulf and put them into the American market; it would flatten the market down so that they would not be able to sell those lobsters.

Q. What is the capacity of your factory?—A. It is large enough to pack 2,000 cases.

Q. How many cases did you pack last year?—A. Last year 300, this year nearly 400.

Q. How many pounds of green lobsters does it take to a one pound can?—A. It varies, you know. The larger the lobsters the more pounds it will take. Take medium and smaller-sized lobsters, the waste would be less.

Q. How many lobsters does it take to fill a pound can?—A. In count? It took this year about $5\frac{1}{4}$ to $5\frac{1}{2}$. Last year it took nearly a lobster more—about $6\frac{1}{2}$.

Q. Is there anything you would like to add other than what you have already stated?—A. I think the ground has been well gone over.

Witness discharged.

Mr. WILLIAM C. LESLIE, Packer, Bryon Island, sworn and examined:—

By the Commissioner:

Q. How many people are engaged in the lobster fishery on Byron Island?—A. All over the island? There are forty boats, that is eighty men. There are some girls employed in the factories there. In all there are about 160 people, all imported. That is they come from Grindstone Island.

Q. How many factories are there in the island?—A. Three.

Q. Who are they owned by?—A. Delaney Brothers, William Leslie & Co., and Townsend Dingwell.

Q. Is the annual catch decreasing or otherwise?—A. It increased this year over last on account of finer weather, but the catch was smaller and has been getting smaller than it was ten years ago.

Q. Then you would say the annual catch is decreasing?—A. It has a tendency to decrease. Well, there were some years that it increased through local conditions such as the weather, but as a general tendency it is decreasing.

Q. Is the total annual catch maintained by the natural supply of lobsters or by

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the aid of increased gear and closer fishing?—A. Well there is not much increase of gear or harder fishing there because the conditions are such that only a certain number of boats are engaged in order to maintain the standard at about an average; that is keep it up and not overfish the ground.

Q. You think an attempt has been made by the canners on the Bryon to preserve and protect the fishery in their own interest?—A. In their own interest.

Q. The fishing ground is isolated and not meddled with by people from elsewhere?—A. Last year the island was overstocked and this year we cut down the number of boats again.

Q. Then the number of traps has not increased in your district?—A. Not during the last three or four years.

Q. But it has increased—A. Over previous years.

Q. Is it your opinion that the supply of lobsters has been kept up by taking smaller lobsters that were formerly rejected and by using an increased amount of gear?—A. We are using the same kind of trap that we have used for the last ten or twelve years. The gear is not increasing and the number of lobsters is steadily diminishing on the average. No attempt has been made to keep the supply up by closer fishing.

Q. And yet the lobsters are decreasing you think?—A. Yes.

Q. Do the fishermen own the gear and boats employed?—A. Yes.

Q. They take their own material with them?—A. They go on in the fall mackerel fishing and build their traps. They buy the rope.

Q. Then they own all their gear?—A. They own all their gear.

Q. What do you think of the idea of licensing the fishermen?—A. I do not see the practical utility of it.

Q. It has been suggested that if licensed the fishermen would observe the law and report any violations coming under their observation?—A. I do not think there would be any such tendency.

Q. Do you approve of the appointment of a Fisheries Board, and if so how should it be constituted?—A. I approve of the suggestion provided practical fishermen, people that know the fishing industry, be members of the board. As far as the Magdalen Islands are concerned we are so different from Nova Scotia that if such a board was constituted there would have to be some special representation for us.

Q. How does the price of lobsters this season compare with that paid when the industry was started as far as your recollection takes you back?—A. The price has been steadily increasing until this year. It has had an upward tendency all the time.

Q. What was the price when your connection with the lobster industry began?—A. I can remember when we paid 75 cents a hundred.

Q. Is it to your knowledge that the price was less than that previously?—A. By hearsay.

Q. What is the price now?—A. We paid \$2.25 per 100 lobsters by count this season.

Q. Speaking from your own observation what are the spawning months for lobsters?—A. I have seen spawn lobsters practically at all seasons of the year, but the majority, I imagine, spawn during the latter part of July and the first part of August.

Q. Do you think the lobsters come towards the shore to spawn?—A. As a general rule, yes.

Q. Is there any period of the year when lobsters are not fit for food?—A. During the time of shelling I should say the meat is soft and flabby and not like it is now.

Q. When would you fix that time?—A. That would be some time about the latter part of July and the first part of August.

Q. At what size is the lobster fully matured?—A. I have seen lobsters not over 9½ or 10 inches long that have certainly not shelled the previous year. They should be fully matured I think. Then there are others I have seen with soft shells which

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must have been 13 or 14 inches long. So there is no standard size for a matured lobster.

Q. At what size would you expect to find them able to reproduce themselves?—

A. Below 8 inches they would carry spawn.

Q. You have seen lobsters below 8 inches with spawn?—A. Yes, sir.

Q. Could you venture to say what percentage?—A. I remember measuring one a little over 7 inches that had berries.

Q. But there are very few of that size with berries?—A. Yes. This lobster was fairly berried considering its size.

Q. That would be an abnormal condition?—A. An abnormal condition.

Q. What size would you fix as a rule?—A. The ordinary spawn lobster seems to be about 8½ or 9 inches in size, omitting the smallest of them.

Q. Are you able to tell me whether the lobster spawns every year, or twice a year or every two years?—A. No. That is, I have no proof.

Q. What is the average size of the berried lobsters taken in your district?—A. Between 10 and 10½ inches.

Q. What is the proportion of female lobsters below 8 inches bearing eggs?—A. I would say practically nil.

Q. What proportion between 8 and 9 inches bear eggs?—A. I should think about 3 per cent.

Q. What do you think of the idea of raising a fund for the purchase of seed lobsters by increasing the canners' fee from 2 cents to 25 cents a case?—A. The increase in the fee would be too great for the industry if you had to buy all the seed lobsters; it would be too heavy a tax on canning.

Q. Is the existing regulation for the protection of the berried lobster observed?—A. No, sir.

Q. Would you suggest any change in the present regulations?—A. Nothing further than a stricter enforcement of the regulations so far as berried lobsters are concerned. I would suggest the building of a hatchery in order to take care of the spawn of the berried lobster; in fact, we had the promise of one here on the north side. I do not know whether it will be built or not.

Q. About what percentage of the lobsters found in the traps bear eggs?—A. About 4 per cent.

Q. Is that from actual count?—A. From actual count; that is if the fishermen told the truth. I asked them to make a count and they reported the number and said about 4 per cent.

Q. What do the fishermen do with the berried lobsters found in the traps?—A. They bring them ashore.

Q. Is the practice of stripping or washing the eggs from the female lobster followed here?—A. Only when the manager of the factory tells the fisherman he will not take the berried lobsters. Then it is done. You notify the fishermen you will not accept the spawn lobsters and they will wash them off outside and bring them in in spite of you.

Q. Does the canner make any examination of the lobsters when they are brought in for the purpose of detecting those with berries?—A. The lobsters are dumped on to the wharf and it is very difficult to notice those with berries unless one happens to fall on its back. We pick them out in that way. But, as a general rule, we don't go over the lobsters to find out whether they have spawn on them or not.

Q. If the canners refused to accept the berried lobsters would it not induce the fishermen to return them to the water?—A. No, sir.

Q. What would happen?—A. The fishermen would wash the berries off and bring them to shore.

Q. Would it be possible to get the fishermen to undertake to return to the water all berried lobsters taken in their traps?—A. I do not think so.

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Q. It has been suggested that one method of protecting the seed lobsters taken by the fishermen would be for the government to buy them at a slight advance on the price paid by the canners, these lobsters to be liberated at once or placed in pounds until the close of the season. Which proposition would you consider the most effective?—A. The first proposition is practically of no use because the government would be buying the same lobsters over and over again. The lobsters would be brought to the wharf and let go and the fishermen would set their traps around the wharf and catch them again. The second proposition would certainly be the more valuable of the two. The lobsters, though, would have a tendency, unless the pounds were very large, to destroy each other.

Another suggestion is for the department to buy the berried lobsters and remove and place the eggs in a hatchery to be hatched out, preserving the lobsters themselves in pound or crates until the close season arrives; what do you think of that?—A. I don't see the necessity of leaving the lobsters in crates unless it is to bear berries another year. I believe the most suitable way of keeping the supply of lobsters up to the present standard would be by means of a hatchery.

Q. Are you aware of any case where a canner has refused to take a fisherman's catch of lobsters?—A. No.

Q. What do you think of the recommendation to establish temporary reserves?—A. I do not think it is practicable here.

Q. You are speaking merely of one section?—A. As far as other districts are concerned, with hatcheries in successful operation there would be no need of such a thing.

Q. Is the present regulation restricting the number of canning licenses satisfactory to the lobster fishermen?—A. I think it is satisfactory in the Magdalen islands. With the number of licenses there are at present, everybody has a chance to pack or sell their fish.

Q. Are you in favour of limiting the licenses to can lobsters or would you grant a license to every man competent to pack?—A. There are so many things to look at in considering that matter. There is the market to be considered. The worst thing for the market value of the lobster is to have everybody packing it. It needs both a suitable building and a competent person to put up lobster fit for the market. If everybody were allowed to pack without any restriction as to the canneries, the quality of the fish going on the market would deteriorate, the price would drop and it would hurt the industry.

Q. The question naturally follows: How would you determine the fitness of an applicant for a license to put up lobsters?—A. He should have a suitable plant and experience in packing. A man who has never packed lobsters cannot put up a good product. Besides that it needs a suitable plant to put up good fish. You want to be handy to the water with a good clean building and a good boss—to have everything so the fish can be properly canned and marketed in first-class condition.

Q. What market in this district would the fishermen have for their lobsters if the canneries were closed?—A. None.

Q. If the present size limit were strictly enforced what effect would it have on the canneries?—A. On the north side of the island, practically no effect. On the south side it would tend to decrease the supply being packed.

Q. Do you mean solely in the bay?—A. From Amherst to Old Harry.

Q. Are the existing penalties, in your opinion sufficient to deter packers from violating the regulations if they were enforced?—A. Yes, if strictly enforced.

Q. In the event of persistent violation of the regulations should the canner's license be revoked?—A. Yes.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further license be discouraged?—A. I think so, because the number of licenses has fallen off. The number has been greater than at present, but it has fallen off voluntarily.

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Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. In certain districts. There are practically no undersized lobsters on the north shore of the island. I think the fishery overseer measured 890, if I remember right, at my factory and there were only 25 under 8 inches. On the south side, though, the more fish put up the more undersized lobsters would be packed.

Q. Should the shipment of live lobsters be favoured in preference to canning?—A. As a general rule, I think not.

Q. Would you favour closing down the canneries for a number of years?—A. Where hatcheries exist it is unnecessary. Notice would be required to dispose of your gear in the event of closing down, and it would take three years to use up the gear on hand. If a hatchery were built, the number of lobsters would be increased at the end of two years.

Q. Would you refuse a license to an alien?—A. If that also means fishermen and inside help, yes. If it refers only to the management, no.

Q. Were abnormal market conditions responsible for the reduced price paid by the canners this year to the fishermen?—A. Yes, there was an abnormal depression in the market.

Q. Do you know of any instance of failure on the part of canners to operate their canneries when there was no shortage in the supply of lobsters?—A. No.

Q. Which branch of the lobster industry is the more remunerative to the fisherman and the least destructive to the lobster industry, the canning or the live lobster trade?—A. Taking the situation on the Magdalen islands the live lobster trade is really impracticable. The canning industry is the only thing by which the lobster fisherman can derive any benefit.

Q. Who fixes the price paid for lobsters?—A. It is a matter of mutual agreement between the packer and the fisherman.

Q. Are you aware of any complaint by the fishermen that the price paid by the canner was not satisfactory?—A. They always try to obtain as much as they can, but to my knowledge they have never been compelled to fish at a low price.

Q. There has been no combination of canners here to put down the price?—A. No. As a general rule everybody pays practically the same price.

Q. There is no agreement then among the canners as to price?—A. No mutual understanding even, because some packers pay 5 cents a hundred more and some 5 cents a hundred less.

Q. Could the fishermen make more money if allowed to can?—A. I think not; they have tried it and given it up.

Q. Then you think the method by which fishermen can on the co-operative plan, as aimed at by the department, would not succeed here?—A. That has been tried here and found practically not a success. Most of those who went into it could not pack their fish.

Q. Is it your opinion then that for a certain class of fishermen it is more profitable for them to fish than to pack?—A. The fishermen find it so themselves. It was the only experience we have had, that a large proportion of those who have tried it have gone back to fish by the hundred.

Q. In your opinion have the government hatcheries helped to maintain the supply of lobsters?—A. Yes.

Q. Could you give any instance of that?—A. The first hatchery that was built at Wood's Hole, Massachusetts, tended to greatly increase the supply there, and those built on Pictou Island and other places in the Northumberland Straits, have had, I believe, the same good results. By reports we received from there last year the lobster fishery has been good—better than it ever was in fact—and they attribute it to the hatcheries.

Q. Then from your observation of the excellent results obtained from the operation of the hatcheries you would recommend an increase in their number and their

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location especially on the Magdalen Islands?—A. Yes, especially on the Magdalen Islands.

Q. Have you anything to say as to the value of pounds for breeding lobsters?—

A. I have had no experience with them, but I should imagine that pounds would not be nearly as suitable as hatcheries, one reason being that when the spawn is deposited by the lobster it is more apt to be destroyed by other fish than if placed in hatcheries and only put out when the young fry are better able to take care of themselves.

Q. Would you favour any reduction in the size limit for this district?—A. No. An 8-inch lobster can be packed and it is mature enough to carry spawn. Therefore, I think that size would be suitable. Anything under eight inches is too small to pack.

Q. Does a difference in the temperature of a water appreciably retard the growth of a lobster at a given age?—A. I do not know. We find the lobsters larger as a general rule north of Bryon Island—the farthest north we get—than any other part of the island.

Q. Is that because lobsters have not been fished there to the same extent?—A. It may possibly be.

Q. Has there been a noticeable decline in the average size of the lobsters caught in your district within the last ten years?—A. No, sir. Well, we can tell that by the average to a pound can.

Q. Speaking of Byron Island there has been——A. No practical decrease in the size during the past ten years. We can tell that by the average canned during that time.

Q. What is the average number to a can?—A. This year it took four and a half lobsters to make a can and last year about four and three-quarters. They average about four and a half as a general rule. Four years ago our lobsters averaged five cases to the 1,000 lobsters. That is a little over four, four and a half.

Q. To what cause do you attribute the decline in size where it does exist?—A. To over-fishing.

Q. It is the natural result of persistent overfishing?—A. Yes.

Q. It is not due to the growth of a smaller race of lobsters?—A. No, because you get an isolated instance of a large lobster even among small ones. You get an odd instance of a lobster over twelve inches. That is one that has escaped in other years I think.

Q. Different size limits and seasons in adjoining sections of the shore are said to be unsatisfactory and to encourage violations of the law; what do you think about it?—A. I certainly think they would. That is where the fishing districts naturally come together; that does not exist here.

Q. Is it in the interest of the lobster fishery generally that lobsters should be taken before they have reached the age at which reproduction takes place?—A. No, sir.

Q. Is it the fact that the larger the lobster the less number it takes to fill a pound can?—A. Yes. There are certain very large lobsters that have very little meat in them. The best size is the lobster of ten or ten and a half inches. The light shelled lobster is always meatier. I do not know how it is.

Q. So that reducing the size limit would necessitate taking an increased number of small lobsters to maintain the pack?—A. Yes.

Q. It is estimated that it takes nine seven inch lobsters which have not reached the age of reproduction to fill a one pound can. At that rate what effect will the continued fishing of these immature and berried lobsters have upon the industry?—A. Total extinction unless the spawn is protected by hatcheries or some other means.

Q. Do you concur in the statement that a strict enforcement of the 8-inch size limit, together with the assistance of hatcheries and pounds would perpetuate the industry?—A. Yes, sir, I believe it would. I think the fishery would have a tendency to increase, if anything, with the same amount of traps and gear.

Q. Would you favour reducing the size limit to 7 inches, or would you abolish the size limit and shorten the season, in each case strictly enforcing the berried lob-

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ster regulation?—A. As far as the size limit goes, I think 8 inches is all right, but the regulation as regards berried lobsters should be strictly enforced.

Q. How would you enforce it?—A. It would not be necessary to enforce it if a hatchery were built here.

Q. There must always be canneries that are a long distance from the hatchery?—A. But the spawn from those canneries would be collected and taken to the hatchery.

Q. There is a limit to the distance they can go for spawn?—A. I do not think there would be any difficulty in collecting the spawn around Bryon Island.

Q. How would you enforce the regulation in Bryon Island with regard to berried lobsters?—A. Unless you take the berried lobsters at the factory, there is no way of preserving them. The factory would have to offer some special compensation for letting the spawn lobsters go or else afford some special opportunity of getting the spawn to the factory. We could, if we had to, get the spawn from Bryon to Grosse Isle every two days.

Q. Could a size limit of 10½ inches be maintained without detriment to the lobster industry?—A. Not very well on the south side of the island. It might be possible to do it on the north side.

Q. The departmental regulations contemplate the taking of large lobsters only and letting the small ones escape. What kind of trap would be the best adapted for that purpose?—A. A trap with laths sufficiently wide apart to let a small lobster out. The ordinary traps have laths an inch apart, and they very seldom take lobsters under 7 inches. I do not know whether it is because there are none at Bryon Island, but we seldom see a lobster under 7 inches. In any case, our laths are possibly an inch or an inch and one-eighth apart.

Q. Do you concur in the statement that 30 per cent more lobsters, by count, are required in the fall than in the months of May and June to fill a one pound can?—A. I would not like to commit myself to the statement that it takes 30 per cent more lobsters in the fall to fill a one pound can.

Q. Is it true that the size limit has never been recognized in this district?—A. It is necessary to recognize it because we get practically all our fish over the limit.

Q. What becomes of the lobsters below the size limit that are taken?—A. Where they are taken they are boiled and packed.

Q. What part of the season is the fishery most actively prosecuted?—A. This year we packed on May 12 and closed the factory on July 5.

Q. Is the present close season regarded as satisfactory?—A. Yes.

Q. Does your statement also apply to fall fishing?—A. Fall fishing is practically of no use on the north side of the Magdalen Islands.

Q. Is it of any use on the south side?—A. Not in order to perpetuate the lobster fishery. I consider it detrimental to the lobster industry all over the islands.

Q. Do you think that a reduction in the open season would tend to increase the supply of lobsters and perpetuate the fishery?—A. My experience during the past has been that if we can get from 25 to 30 days out of the two months and 10 days allowed us by law—out of the practically 65 fishing days we have legally—we are satisfied. That surely is protection enough as far as length of season is concerned. This year we had an exceptionally fine season. One of my boats fished 40 times. I have never known that to happen before since I have been on Bryon Island.

Q. One proposition made is to do away with the size limit altogether and shorten the season in return?—A. If the season is to be shortened we would want it done at the front rather than at the rear. The open season commences about the 1st of May instead of 20th April; the first 10 days are of no practical use to us.

Q. The shortening up at the beginning of the season seems to be a precaution to save the gear rather than the lobster?—A. Well, we cannot fish in the early part, there is no use trying. One year out of ten we may get out our gear before the 1st of May.

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Q. When do you get your best catch here?—A. From May 20 to June 1.

Q. Is it practicable to maintain a close season during the whole breeding period of the lobster?—A. No, I should think not, because they carry spawn at all seasons of the year, in my experience, or some of them do.

Q. I understood you to say that you would not favour fall fishing?—A. I am not in favour of it.

Q. Are any live lobsters shipped from this district?—A. A few have been by way of experiment only, but it did not turn out sufficiently remunerative to be encouraged.

Q. And you say the shipment of live lobsters should not be favoured in preference to the canning industry?—A. I think that the canning should be preferred as a general rule to the shipment of live lobsters on account of the increased number of people employed. It would give the greatest good to the greatest number I should think.

Q. Are the existing facilities adequate for the profitable handling of live lobsters?—A. No.

Q. What facilities are required to make that trade commercially feasible here?—A. Cold storage and quick communication between here and Hawkesbury to connect with the boats to Boston so as to give a satisfactory shipment.

Q. Then the live lobster trade is not likely to supplant the canning industry at the Magdalen islands?—A. Not in the Magdalen islands.

Q. What is the capacity of your cannery on Bryon island?—A. We could handle about 1,200 cases.

Q. How many cases did you pack last year?—A. Last season 385. This season 400.

Q. How is the pack going to turn out on the Islands this year?—A. It is fully as good as last year, a little better if anything.

Q. You have already given me the number of pounds of green lobsters it takes to fill a pound can?—A. Yes, $4\frac{1}{2}$ lobsters in count. I should think of the lobsters we get It would take $5\frac{1}{2}$ to 6 pounds in weight to fill a pound can.

Witness discharged.

JOHN BALLANTYNE, packer, Grindstone Island, called and sworn:—

By the Commissioner:

Q. How long have you been connected with the lobster industry?—A. I was practically connected with it for 35 years.

Q. You were one of the first of the local residents to begin the industry?—A. Yes, among the first of the English-speaking residents. William Leslie and myself were the first.

Q. You have heard the evidence given this afternoon by the several witnesses. Do you concur in it?—A. With the most of it I agree. As to the protection of the lobster fishing I would like to say something. These lagoons should be shut up entirely. There is no sense or reason that I know of in allowing fishing in them at any time. I also think that a line should be drawn from the mouth of House harbour—from the buoy here—to the buoy at Grand Entry and all inside of that line protected. If that were done you would see an increase in the fishery in no time.

Q. You would allow no fishing inside that limit?—A. No fishing of any kind. As to September fishing, I am most emphatically opposed to it. One reason is that the fish then are not of the same quality; they are not so good. It is the small outside

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factories that pack them and the lobsters are not put up in the same way. This deteriorates the quality of the pack going from the Magdalen islands. It hurts both the price and the reputation of the fish packed on the Magdalen islands. Another thing is that it encourages boodling as the difference in price must be considered. Mr. Leslie, when giving his evidence, said that he paid 75 cents for lobsters when he first commenced to pack, but you must understand that he owned all the boats and gear, and 75 cents at that time was equal to about \$1.50. He is now paying \$2.25 and the fishermen own the boats and gear so that the increase in the price is not so great as the figures would appear to show without that understanding. When I commenced I paid 40 cents for fish from inside the bay and 30 cents for fish from outside, but I owned all the gear. That makes quite a difference. The price has increased to \$2.25, but the fishermen own the boats, traps and everything so that the price has not increased you might say over 50 per cent in 25 or 30 years.

Q. In those days what price did you get for your lobsters?—A. I got from \$3.75 to \$5, except the first year I packed here. I got as high as \$15 before I knocked off.

Q. But the cost of material was not as great then?—A. No, it was not, I must admit that.

Q. And labour generally did not cost so much?—A. Labour generally was as high as the price of lobsters was cheaper then.

Witness discharged.

Mr. EDWARD CHIASSON, packer, Etang du Nord, called and examined:—

By the Commissioner:

Q. How many persons are engaged in the lobster fishery in your district?—A. One hundred and fifty fishermen, or one and a half per boat.

Q. How many men, women and children are employed in the canneries?—A. About two hundred.

Q. What would you put down as the total pack of lobsters in Grindstone island?—A. About 2,000 cases.

Q. Is the pack decreasing or otherwise?—A. We are packing less. Some years ago we used to pack more with less fishermen.

Q. Is the total annual catch maintained by the natural supply or by the aid of increased gear and closer fishing? You are keeping up the supply by putting out more gear?—A. Yes, and employing more fishermen.

Q. Has the number of traps increased?—A. Yes, the number of traps has increased.

Q. Are you packing lobsters now that formerly you would not have packed?—A. No, not on the north side. The lobsters have kept of a pretty good size.

Q. What is the average depth of water in which you fish on that shore?—A. We go out to 14 fathoms.

Q. That is a good way off shore?—A. Yes.

Q. Do you set traps around the White Horse and Pierre Gros Cap reefs?—A. We set traps all round those reefs.

Q. On what basis is the lobster fishery carried on; do the fishermen own the boats and gear?—A. No, we furnish most of the boats and gear.

Q. But there are some fishermen that fish that way?—A. Very few fishermen furnish their gear.

Q. What do you think of the idea of requiring the fishermen to register and take out a license at a nominal fee?—A. I don't think there is anything in that.

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Q. It is thought by some that licensing the fishermen would make them observe the law better and report any violations they happened to see?—A. I daresay it would be a good thing.

Q. What do you think of the proposal to create a Fisheries Board to advise the department as to the best regulations and laws to be enforced throughout the maritime provinces?—A. I don't think there is anything in that.

Q. How does the price paid for lobsters to-day compare with the price paid when you first began packing?—A. When we first began they used to pay 60 cents per hundred. Now we pay \$1.25. Last year we paid \$2.

Q. When you began packing did the fisherman supply his own gear or did you?—A. Some supplied their own gear.

Q. The same as now?—A. I paid 60 cents then to those we furnished gear to and this year \$1.25 and \$2 to those that furnished their own gear.

Q. From your experience can you say what are the spawning months for lobsters?—A. I am not very well posted, but I have heard it is from July 15 to August 15.

Q. Do you think the lobsters come in towards the shore to spawn in the warmer water?—A. I think so.

Q. Is there any time of the year when lobsters are not fit for food?—A. Yes, sir. When they commence to spawn they are no good to eat.

Q. Why are they no good?—A. They are too soft, just like milk.

Q. Do you think the female lobster spawns every year?—A. I think so.

Q. What was the size of the smallest female lobster you ever saw with eggs on her?—A. I do not see any very small ones—nothing smaller than 9 inches I mean—on the north side.

Q. What would be the average size of the lobsters taken with eggs on them?—A. There are some big ones and some small ones—I daresay from 8, 9, 10 and as high as 12 inches with eggs on them. I saw some pretty big lobsters with eggs on them.

Q. What is the largest lobster you ever saw caught here?—A. I saw a lobster that would weigh five pounds.

Q. What do you think of the idea of requiring the canners to pay 25 cents instead of 2 cents a case and in that way raising a fund to buy the seed lobsters from the fishermen?—A. I don't believe in that. It is too much, 25 cents a case.

Q. Do you think the present fee could be increased for that purpose?—A. I daresay it could be increased. Instead of 2 cents they could probably pay 4 cents.

Q. Are the existing regulations for the protection of the berried lobster enforced?—A. I guess so. Of course I always told my fishermen not to bring any. Outside of that they may have taken the spawn off and brought some.

Q. Is there anything you would like to suggest in connection with the regulations?—A. I would suggest to commence fishing about May 10 and keep it up until July 10.

Q. And stop fall fishing?—A. And have no fall fishing. The objection I have for September fishing is that there are too many bad fish which spoils the market and spoils everybody.

Q. Out of every 100 lobsters taken in the traps how many are female lobsters with eggs on them?—A. About 5 per cent.

Q. What do the fishermen do with the berried lobsters?—A. Sometimes they bring them in, sometimes they do not. As I told you they take the spawn off some way or other. I never saw them doing it but I have heard people say they do.

Q. The fishermen brush the eggs off?—A. They brush them off. The real fact is that sometimes they bring a few but of course while I run the factory I am not always there to count the lobsters myself.

Q. Do the canners make any objection to taking the berried lobsters?—A. Yes, I believe the canners make all the objection they can against taking spawn lobsters.

Q. But they do take them nevertheless?—A. Yes, they do take them sometimes.

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Q. Do you think that the canners examine the lobsters for the purpose of finding out whether any of them have been berried or not?—A. They do not examine particularly.

Q. If the canners refused to take the berried lobsters would that not cause the fishermen to put them back in the water?—A. No. I might refuse myself and my neighbour might take them. Next year what would happen? I would not get any fishermen and the other fellow would get them all.

Q. Do you think it is impossible to get the fishermen to return to the water all the berried lobsters taken in their traps?—A. The fishermen have the law in their own hands and if everybody was willing to do it all would do it.

Q. As long as one does not do it the others do not want to do it?—A. Why of course.

Q. It has been suggested that one method of protecting the berried lobsters would be for the government to buy from the fishermen at a slight advance on the price paid by the canners all such lobsters taken in the traps, these lobsters to be liberated at once or placed in pounds and retained there until the close of the season. What, as a practical fisherman, is your opinion of this suggestion?—A. That would be a good thing in my opinion. That would be the best thing I believe.

Q. Then it has been suggested also that the department buy the berried lobsters, remove the eggs and place them in a hatchery to hatch out?—A. That is a good thing too.

Q. Either of these suggestions would be good you think?—A. Yes.

Q. At what time of the year are the berried lobsters most numerous?—A. I think in July.

Q. Do you know of any fishermen who have lost their catch of lobsters by reason of the canners refusing to take them?—A. No.

Q. What do you think of the idea of closing down in certain sections of the coast and not allowing any canning?—A. I don't think there is any need of doing that. Of course I am only speaking for the Magdalen Islands.

Q. Do you think that the regulation restricting the number of licenses to can is satisfactory to the fishermen?—A. I think every man should be allowed a license to can providing he has the proper factory and is himself competent to can.

Q. How would we decide who were qualified to can and who were not? What qualifications would you insist upon?—A. Insist upon having no less than ten boats fishing and having a factory fit to put up the lobsters. A man should understand how to put up lobsters and be a good packer. That is what I would require. Of course another man has just as good a right as I have to pack lobsters.

Q. Up to a few years ago that was the rule, everybody could get a license to can?—A. Yes, but they nearly all gave it up. They did not do anything, they did better at fishing.

Q. Would there be any market here for lobsters if the canneries were closed?—A. No.

Q. Do you think that if the present size limit of eight inches were enforced strictly it would mean the shutting down of the canneries?—A. I guess so, not on the north side but on the south side.

Q. Do you think the existing penalties are sufficient to properly enforce it?—A. I think so.

Q. Do you think there are enough canneries, in the interest of the preservation of the lobster industry, and should the issuance of further packing licenses be discouraged?—A. Every man should get a license under certain restrictions. Of course there are plenty of canneries in one way, but providing a man is able to can lobsters he ought to have a license.

Q. Would an increase in the number of canneries mean an increased pack of small lobsters?—A. I think so, that is what it would mean.

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Q. Do you think that aliens should be refused canning licenses?—A. If they put up their pack in the same way as I and my neighbour do and employ native labour they should be given the privilege.

Q. The canners have reduced the price paid for lobsters to the fishermen?—A. Yes, we reduced the price this year on account of the market not being as good as last year, but we paid the full value, we always have.

Q. Who fixes the price paid for lobsters?—A. The fisherman and the packer.

Q. They agree to it?—A. Yes, they agree to it.

Q. Do you think the packers on the Magdalen Islands have ever combined to beat the price down?—A. No. I have never known that. I have known the fishermen themselves to join together to put up the price and they did put it up.

Q. Are you aware of any complaints made by the fishermen that they do not get a satisfactory price from the canners?—A. Yes, that is natural.

Q. Do you think the fishermen would make more money if they were all allowed to can?—A. I don't believe it.

Q. You think some of them would make less?—A. Some of them would make less.

Q. There have been cases here where two or three fishermen have joined together and packed lobsters?—A. Yes.

Q. Is that done still?—A. By very few; there are not many now.

Q. Do you think a hatchery should be established here?—A. Yes, it is my belief they have done good where they have been established.

Q. Would you favour any change in the regulations for the Magdalen Islands as to size limit?—A. Well, as I have already said, I would favour commencing on the 10th of May instead of the 20th April, and fish until the 10th July.

Q. How about fall fishing?—A. I don't call it any good.

Q. Do you think it does harm?—A. I am not prepared to say. In one way it does harm. It is hurting the market owing to bad fish being packed. Then my belief is that if you get the lobsters in the fall you won't get them in the spring.

Q. If allowed to remain until the spring they would be more fully grown and be larger and better?—A. That is my belief. We never pack on the north side in the fall.

Q. Has there been any noticeable decrease in the size of the lobsters since you first had knowledge of them?—A. Not that I know of. I do not see much difference.

Q. You think that the lobsters you are packing at Etang du Nord are as good as they were 15 years ago?—A. Yes.

Q. And as good as 30 years ago?—A. I cannot say.

Q. How far back does your knowledge extend?—A. For 15 years.

Q. What do you think of the effect of having different size limits and seasons on adjoining sections of the coast?—A. Here in the bay on the south side they generally knock off fishing before the 10th July; they give it up about the last of June. On the north side we carry on fishing the whole season, and always get a few lobsters.

Q. How many lobsters does it take to fill a pound can, in your experience?—A. It takes about 5. It would take about five this year and last year it would take more—5½ to 6.

Q. Does it take more lobsters towards the first week in July than it does the first week in May?—A. The lobsters were a little better this year at the end of the season than at the beginning. Some years it is that way.

Q. Do you think that the trap in use is the best one that could be adopted for the purpose of taking large lobsters and allowing the small fellows to escape?—A. The trap they have on the north side is all right.

Q. What distance is there between the slats?—A. About an inch, the width of a slat.

Q. Has any attempt been made, as far as you know, to enforce the regulations in this district?—A. I do not know; I think there has been some attempt made.

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Q. What becomes of the lobsters below 8 inches in size that are taken?—A. They are bought the same as the others.

Q. Do they count in with the hundred?—A. They count the same as the big ones.

Q. Do you think lobster fishing should be kept farther out from the shore?—A. I think so. If possible, that would be a good thing.

Q. Why would it be a good thing?—A. I believe the fellow that has set his traps away outside would get more lobsters than the one that has set his traps too close in to the shore, especially at the first going off. Afterwards the lobsters commence to come into shore.

Q. Do you think you get better lobsters at first farther off shore?—A. Yes.

Q. And as the season advances you get the lobsters farther in near the shore?—A. Yes.

Q. What is the best time for your fishing?—A. About from May to June 15.

Q. Are the present regulations regarding the close season satisfactory, is the 10th July a good time to cease fishing?—A. Yes, that is a good time to knock off.

Q. Do you think a reduction in the length of the open season would be an advantage?—A. I think so, because the lobsters will have more time to seed up on the bottom, and when the fishermen set their traps they will get more of them. They will begin early and according as the lobsters come in they will get a very small catch. If they wait until later they will get more lobsters in a shorter time.

Q. It has been suggested that fall fishing should be allowed in some districts owing to the delay in commencing to fish in the spring caused by the ice running on the coast. What do you think of that?—A. All could fish in the spring, if not on the 1st of May on the 15th, but I would not allow fishing in the fall.

Q. Are any live lobsters shipped from here to the market?—A. There have been a few shipped by Mr. Baker, but I never shipped any myself.

Q. How were they shipped and to where?—A. They were shipped by steamer in boxes to Boston.

Q. Did they reach their destination?—A. They reached there, but I think those who made the shipment had quite a loss. They did not find it successful; it is too far with the existing means of transportation.

Q. If cold storage and a swifter means of getting the lobsters to market were provided, the live lobster trade could be profitably carried on from here?—A. The live lobster trade would be a good thing if we had a good way to carry it on; there would be more money in it.

Q. What is the capacity of your factory?—A. I can pack in my factory 1,500 cases.

Q. How many cases did you pack this year and last?—A. Last year I packed 355 cases; this year, 357.

Q. Have you any idea of the total weight of the lobsters you took in?—A. I never weighed any.

Q. Do you know how many pounds of green lobsters it takes to fill a pound can?—A. I think it takes about 5 pounds.

Q. You have told us that last year it took about 5 lobsters. Will they run a pound?—A. Sometimes they run more than that.

Q. Is there anything more you wish to say?—A. No, I do not know any more to say.

Witness discharged.

The commission adjourned.

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AMHERST ISLAND, MAGDALEN ISLANDS, July 14, 1909.

P. J. SAVAGE, packer, Amherst Island, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the canning business?—A. Since 1892.

Q. What number of canneries do you own?—A. Two.

Q. That does not include the factory at Etang du Nord?—A. It does not include that. There is a factory there, but it is not in operation.

Q. What number of boats do you employ?—A. This year 57 boats.

Q. Are they fished by two men to a boat?—A. Two men to a boat.

Q. How many hands do you employ in your factories in various capacities, inside and outside?—A. There are about 35 at West Cape factory and at the other factory at Grindstone about 20.

Q. What was your total pack of lobsters this year?—A. 980 cases.

Q. And last year?—A. As far as I can remember, 735 cases.

Q. What was the largest pack you ever made?—A. 1,400 cases in one factory.

Q. That was the West Point factory?—A. Yes.

Q. At that time you were only running one factory?—A. Only one.

Q. Are you employing a larger number of boats to-day than you were when you began with that factory?—A. Yes. At first we started with 15 boats.

Q. At the time you made the big pack you spoke of, how many boats were you running?—A. That year we were running 28 boats, I think.

Q. Did the pack continue good there for some time?—A. For three years I think.

Q. And then it gave out?—A. And then it gave out.

Q. And has it been giving out ever since?—A. It has been giving out and coming on again, one year less and another year more.

Q. But on the whole what has been the tendency?—A. It has been about an average.

Q. You are holding your own at present?—A. Yes.

Q. Do you require a larger number of boats and a larger number of traps to catch the same amount of fish?—A. Yes, we do, but the weather is much different to what it was a few years ago.

The seasons have been rougher lately?—A. Much rougher. If it had been a fine season this year, for instance, the pack would have been one-third more than it was.

Q. Did you meet much loss of gear this year?—A. Yes, considerable. I guess we lost about 4,000 traps.

Q. What number of traps were you fishing this year?—A. About 9,000 or 10,000 traps.

Q. Do you own all the traps that are fished by the boats employed by you?—A. There are very few that we don't own.

Q. There are very few fishermen that fish their own traps?—A. Very few.

Q. Are you fishing more traps at Amherst than you formerly did?—A. Not more than we have been doing for 7 or 8 years.

Q. On the whole, do you think the number of traps has been increased?—A. It has been.

Q. Is the average run of lobsters smaller to-day than when you began canning in 1892?—A. I don't think so.

Q. Do you think that the average is keeping about the same?—A. About the same, yes.

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Q. Do you think that is true of the fishery since the beginning?—A. Since I began, yes. When the fishery first started the lobsters were of course very much larger. They had never been fished before.

Q. Your opinion is that when the lobster industry first began here the lobsters were much larger?—A. It is.

Q. The lobsters had never been fished before and they were large?—A. That is right.

Q. But since catching those originally large lobsters the supply has remained at about an average?—A. About an average, yes.

Q. What do you think of requiring the fishermen to register and take out a license?—A. I don't think it would have any effect at all.

Q. How does the price paid for lobsters to-day compare with that paid when you started in? What arrangement have you with the fishermen as to the price to be paid for lobsters?—A. We paid \$3 a hundred to those who furnished their own gear and to the others that I furnished the gear to, \$2.25.

Q. How does that compare with what you paid when you first started packing?—A. Then we were paying 50 cents a hundred.

Q. But some of the fishermen furnished their own gear then?—A. None then.

Q. You furnished all the gear then?—A. All the gear.

Q. It has been suggested that a Fisheries Board should be created to advise the department in regard to the laws and regulations to be enforced with respect to the lobster and other fisheries. Would you approve of that suggestion?—A. I think it would be a very good thing, yes.

Q. How do you think that board should be constituted?—A. I would have to consider that, I could not say right off.

Q. During what months do the lobsters spawn in your opinion?—A. I think in June and July.

Q. Do you think the lobsters come in towards the shore to spawn?—A. I don't believe it.

Q. Is there any time of the season when lobsters are not fit for food?—A. Well, I have not studied that.

Q. You know there is a time when their shells are soft and they are very thin and watery. You would not say they are not fit for food then?—A. I would not say they are not fit for food.

Q. At what size do you think a lobster is fully grown and old enough to reproduce itself?—A. I could not say.

Q. You would not like to express an opinion as to whether the lobster spawns every year or not?—A. No.

Q. What is the smallest lobster you ever saw bearing eggs?—A. I could not say, I have not studied the question enough.

Q. What is the average size of the berried lobsters taken in your district?—A. That I could not say either.

Q. What would you think of the proposition to require the canners to pay an increased fee, instead of the 2 cents a case now paid, and in that way realize a fund for the purchase of berried lobsters from the fishermen?—A. I don't believe in that.

Q. Is the existing regulation for the protection of the berried lobster observed?—A. I think pretty well.

Q. The evidence goes to show that in a great many places the regulations as to size limit and berried lobsters are not observed.—A. Well, I don't know about the small lobsters but the regulation in regard to egg lobsters I think is observed.

Q. Would you suggest any change in the regulations?—A. Well, I don't see any that would be for the better.

Q. Have you any idea of the percentage of lobsters taken in the traps that bear eggs?—A. No, the fishermen would have a better idea.

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Q. What do you think the fishermen do with the berried lobsters they take in their traps?—A. I have no idea.

Q. Do you know whether they follow the practice of washing or stripping the eggs off?—A. I have heard so, but I don't know it personally.

Q. Do the canners generally make any scruple about accepting berried lobsters?—A. I don't attend much to the factory myself and I don't know.

Q. You cannot say whether the canners make any examination for the purpose of detecting berried lobsters?—A. No doubt they do, but I cannot say.

Q. Do you think if the canners refused to take berried lobsters it would have the effect of inducing the fishermen to return them to the waters?—A. That I could not answer.

Q. Do you think it would be possible to get the fishermen to return to the water all the berried lobsters they take in their traps?—A. It would be very difficult.

Q. What do you think of the idea of the government buying the seed lobsters from the fishermen and then liberating them or placing them in pounds until the close of the season?—A. That would be all right I think.

Q. Take for instance at West Point. Is there any place there where you could make a pound in which to hold lobsters?—A. There is no place there, there are no suitable places on this island.

Q. It has also been suggested that the department should buy the seed lobsters and remove and place the eggs in a hatchery to be hatched out.—A. That would be my idea to take the eggs from the factories and hatch them out in hatcheries.

Q. Have you any idea at what period of the season berried lobsters are most numerous?—A. I have not.

Q. Are you aware of any fishermen having lost their catch of lobsters owing to the refusal of the canner to accept them?—A. No, I am not aware.

Q. The fishermen in some places have complained that by reason of the canners not taking the lobsters they have been thrown back on their hands, and in that way they have suffered loss?—A. It has not come to my knowledge.

Q. What do you think of the idea of establishing reserves at various points along the coast for the breeding of lobsters in which fishing should not be allowed for a term of years, the location of these reserves to be changed from time to time?—A. I don't see the good of that at all.

Q. Are you in favour of limiting the number of licenses to can lobsters, and, if so, what limitation would you suggest, or would you favour issuing a license to every man competent to pack?—A. That would be my idea at present.

Q. How would you establish his competence to pack?—A. According to his means. That would be the only way.

Q. Then there would have to be a sort of standard factory to the requirements of which he would have to conform?—A. Yes, I would require that.

Q. How would you determine the fitness of an application for a canning license?—A. He ought to be competent to put up lobsters, I suppose.

Q. You would have to be satisfied that the applicant was competent to pack properly and had sufficient capital for the purpose?—A. And sufficient capital to do it.

Q. And his cannery would have to come up to a certain standard?—A. Yes.

Q. That standard to be fixed by the department or the fishery inspector?—A. Either.

Q. What market would the fishermen in this district have for their lobsters if the canneries were closed?—A. None.

Q. If the present size limit of 8 inches were strictly enforced what effect would it have upon the canneries?—A. Considerable.

Q. You think they do take undersized lobsters at the canneries?—A. I don't know much about it, but likely there are some undersized.

Q. Then if a strict enforcement of the size limit were made it would reduce the output of the canneries?—A. That is what I mean.

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Q. It would not cripple them?—A. No, it would not.

Q. A strict enforcement of the size limit would not close the factories here?—A. No.

Q. It has been stated by some very credible witnesses that a strict enforcement of the size limit in some districts would have the effect of closing up the canneries?—A. I don't think that would be the case here. On the south side I don't think it would; it might on the north side of the island where they get them smaller.

Q. Where you are fishing it would not cripple you?—A. Not on the south side of the island; it might on the north side.

Q. It might in the bay here, too?—A. Yes.

Q. Are the existing penalties, if strictly enforced, sufficient to deter packers from violating the regulations?—A. Yes, I think so.

Q. In the event of persistent violation of the regulations by a canner should his license be cancelled?—A. No.

Q. If it were found that the canner was continually violating the regulations do you not think he should lose his license?—A. If he persisted in doing it I should think so.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further packing licenses be discouraged?—A. I don't see that it would affect the fishery. There would be very few new packers.

Q. How many packers have gone out of the business?—A. Quite a number. There might be one or two opening and three or four closing.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. I don't think so.

Q. Ought the shipment of live lobsters to be favoured in preference to the canning of lobsters?—A. It would be preferable if it were possible to do it.

Q. In the interest of the lobster industry would you favour closing down the canneries altogether for some years?—A. No.

Q. Would you refuse a canning license to an alien?—A. That does not affect the position at all.

Q. As long as the lobsters are packed in this country is there any serious objection?—A. Not that I see.

Q. It has been stated that in certain districts lobster canners could not continue packing and observe the size limit?—A. That might be so in some parts.

Q. It has been alleged that in some cases fishermen have suffered injury by the failure of those holding canning license to operate their factories although a sufficient supply of lobsters was available. Have any such instances come under your notice?—A. Not to my knowledge.

Q. The canners reduced the price paid for lobsters this year, did they not?—A. Yes, that was done this year. The price was reduced about one-quarter.

Q. Why was that reduction made?—A. On account of the bad market.

Q. Which branch of the lobster industry do you think is the most remunerative to the fishermen and the best calculated to maintain the supply unimpaired, the canning or the live lobster trade?—A. We have had no experience with the live lobster trade because none has been done here.

Q. Who fixes the price paid for lobsters?—A. Every packer.

Q. Is it to your knowledge that there is any combination on the part of the packers to keep down the price, or is there competition?—A. There is more or less competition, but not to affect the price of lobsters to any extent.

Q. Could the fishermen make more money if they were allowed to can?—A. They have tried that and given it up.

Q. There have been cases where the fishermen have combined together and operated a factory?—A. I have supplied them in order to do so and they had to give it up.

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Q. From your experience can you say whether the government hatcheries have helped to maintain the supply of lobsters?—A. Not on this island; we have never had any.

Q. Have you any observations to make with respect to the value of pounds for lobster breeding purposes?—A. I have no information on that subject.

Q. Would you object to raising the size limit here to 9 inches?—A. I would not care about it.

Q. Would you favour any reduction in the size limit?—A. For the eastern side of the island or Pleasant bay, but not towards the western side.

Q. Has there been any noticeable decline in the average size of lobsters caught in your district within the last ten years?—A. No, I don't think so.

Q. But there has been a decrease in size since the beginning of the fishery?—A. Yes.

Q. To what cause do you attribute the decline in the size of the lobster, to over-fishing, or is it due to the growth of a smaller race of lobsters?—A. I don't think it is due to over-fishing. I think in some years they are larger than in other years.

Q. What reasons is there for adopting a smaller size limit in one district than in another?—A. Because the lobsters are smaller.

Q. Were they always smaller?—A. The lobsters are always smaller in the bay.

Q. Since the beginning of the fishery?—A. Since about 10 or 15 years.

Q. Why should the lobsters be smaller in the bay?—A. I cannot account for that.

Q. Don't you think it is because in the bay the lobsters have been more thoroughly fished out?—A. I don't think they come in. They are getting lobsters larger at Entry island than they are in the bay. There are some seasons the large lobsters do not come into shore.

Q. Have you any idea how many lobsters it takes in your canneries to fill a pound can?—A. It all depends upon the run. Sometimes it would go four or five, and other times as high as six.

Q. And it varies with different seasons?—A. Well, not a great deal, but it does vary. For instance, the May lobsters are larger.

Q. Than those taken in June and July?—A. Yes.

Q. Do you think the lobsters taken in deep water are larger than those taken in shoal water?—A. They are. That shows the large lobsters do not come in shore.

Q. Would you favour reducing the size limit to 7 inches and prevent the taking of berried lobsters, or would you shorten the season?—A. No, the season is short enough as it is.

Q. Do you think that the regulation prohibiting the taking of berried lobsters could be more strictly enforced?—A. By going to some expense, I suppose, but it would be pretty hard.

Q. Could a size limit of 10½ inches be maintained without detriment to the lobster industry?—A. I think that would be detrimental to the lobster industry.

Q. Have you any idea what kind of trap would best promote the escape of the small lobsters?—A. I have not seen any; I could not recommend any.

Q. Is it true that the size limit has never been enforced in this district?—A. I think it has been pretty well enforced.

Q. Do you think that lobster fishing should be kept farther out from the shore?—A. It would be a hard matter, I think.

Q. During what proportion of the open season is the lobster fishery most actively pursued here?—A. In May and June.

Q. Do you generally can up to the very close of the season?—A. To the end of the season, to the 10th July.

Q. Is the present regulation regarding the close season satisfactory? Fishing in September is allowed here under the regulations as they stand. What is your opinion of September fishing?—A. I think it is good.

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Q. Do you operate in September yourself?—A. We do in the bay here.

Q. What sort of lobsters do you pack in that month?—A. They are of small size.

Q. Are they as full of meat as the lobsters caught in the summer?—A. Just as full.

Q. And do they make as good a pack?—A. Just as good a pack as the May lobsters.

Q. Have any live lobsters been shipped from this district?—A. There was an attempt made to ship some this summer, but they did not get any farther than here. We tried to pack them in barrels, but they were so feeble that we did not send them any farther. They came from West Point by steamer. They were not very long in coming and they had been put in barrels the night before.

Q. Do you think where it is possible to carry it on that the shipment of live lobsters should be favoured in preference to the canning?—A. I don't think so, not for these islands.

Q. You think that the Magdalens will always carry on the canning industry owing to their isolated position?—A. Yes.

Q. Is there anything else you would like to state of your own accord?—A. No.

Witness discharged.

PAULET CYR, fisherman, Amherst, was called and examined. The witness's testimony was given in French and translated as follows:—

I am 35 years old and reside at Amherst. I have been engaged in fishing for 15 years. I fish cod and mackerel when not engaged in the lobster fishery. I have fished lobsters in Pleasant bay and I have fished at Entry island, West Point and Grosse Isle also. There are seven or eight boats engaged in lobster fishing in Pleasant bay. We fish at a distance of a mile to a mile and a half from the shore in three or four fathoms of water and shift our traps from time to time during the season. We fish closer in-shore towards the end of the season. The quantity of lobsters has diminished greatly in the months of May and June during the last 15 years. Fishing in the beginning of September is fairly good, but by the 15th the lobsters have commenced to leave the ground. The lobsters are about the same size now as when I began to fish, the average being from 9 to 10 inches. We caught the same quantity of lobsters in the beginning with a smaller amount of gear than we are using now. Many more traps are fished now in the same ground than when I commenced to fish. The idea of the trap now in use is to make it more complicated so that the lobsters shall not have the same chance to escape as in the case of the old trap. We always caught the small lobsters in the bay. There are fewer lobsters taken to-day but there is a larger percentage of small ones. I fish with my own boat and traps but there are other fishermen who fish with traps and gear belonging to canners. We get more for our lobsters than when I began to fish. I received 50 cents a hundred when I commenced to fish first, using the factory gear. Last year we got \$2 fishing with our own gear per hundred. We engaged ourselves in the spring to fish at that rate. I am not forced to fish for R. J. Leslie & Co., and if not satisfied with the price I can sell to another packer. The size limit is not strictly enforced and undersized lobsters are delivered at the factory. Sometimes we throw the berried lobsters back into the water. We know it would be better to return all the small and berried lobsters to the water, but we have a good deal of trouble to catch them and want to make all the money we can. If the fishermen were not paid for these lobsters they would not take them. We deliver all the berried and small size lobsters we take at the factory and they are never refused. We take some berried lobsters at the commencement of the season but the great majority are caught towards the close of the season in July. From the 10th to the 15th July the lobsters are not good to eat because they change their shell and contain very little meat. I have only found eggs on good sized lobsters. I have seen

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eggs on 7-inch lobsters. I think it will be better to put the fall fishing ahead 10 or 15 days to the middle of August rather than the beginning of September.

Witness discharged.

ALCIDE GAUDET, manager, called and examined:—

By the Commissioner:

Q. You are a resident of Amherst island?—A. Yes.

Q. What is your occupation?—A. I am manager of a lobster factory.

Q. How long have you been manager?—A. 23 years. Well, interested in it for that time.

Q. How many boats are employed by your cannery?—A. We have two canneries on this island.

Q. You direct both?—A. Yes, and 43 boats are employed.

Q. How many men are employed in the boats?—A. Two men to each boat.

Q. How many men, women and children are employed in connection with the canneries ashore?—A. About 50 at the two canneries.

Q. What is, approximately, the total pack of lobsters in the two canneries?—A. About 800 cases this year.

Q. And last year?—A. I should say 100 cases more.

Q. What was the largest pack you ever made in the two canneries?—A. Something over 2,000 cases.

Q. How long ago was that?—A. About 15 years ago.

Q. Had you the same number of boats employed in the fishery then?—A. Not so many.

Q. Nor as many traps?—A. No, sir.

Q. What number of traps do you fish in connection with these two canneries to-day?—A. About 8,000. At least we own that number; we don't fish that many. We fish between 6,000 and 7,000.

Q. How many traps did you fish in the good years of your packing?—A. Between 4,000 and 5,000.

Q. So that you require a greatly increased number of traps to-day to produce a smaller pack?—A. Yes.

Q. Do you take lobsters to-day that your factories would have rejected 15 years ago?—A. No.

Q. Do the fishermen own the gear and boats employed in the fishery or do you?—A. We have 16 fishermen that own their gear and the balance are fishing our gear.

Q. What do you think of the suggestion that the fishermen should be required to register and take out a license at a nominal fee; how do you think it would work?—A. Well, I don't know whether it would make any difference or not the way things look now. It is pretty hard for me to say. In many cases it would simply mean—

Q. The idea underlying the suggestion is that the fishermen would be compelled to be honest and observe the law. Do you think the fact of their having a license would make any difference?—A. I don't think so.

Q. It has been thought that giving the fishermen a slip of paper constituting them lobster fishermen for the season would cause them to observe the law and report any violations coming under their notice. Do you think that such would be the case?—A. I doubt it very much.

Q. How does the price of lobsters to-day compare with that paid when the industry was first started?—A. Well, at first we paid 50 cents a hundred for the lobsters to the fishermen that we furnished the gear to and \$1 to those fishermen that furnished their own gear. To-day we pay \$1.50 to \$2.50.

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Q. You are paying a little less this year than you did last year?—A. Yes, we paid more last year.

Q. Why are you paying a lower price this year?—A. Owing to the state of the market.

Q. Would you approve of the creation of a Fisheries Board for the management of the lobster and other fisheries in the maritime provinces? You know what is meant by that?—A. Yes, I would think such a board should be constituted.

Q. Do you think the fishermen should be represented on that board as well as the mercantile community?—A. Yes, I don't see any objection.

Q. Speaking from your observation as an experienced fisherman, what are the spawning months for lobsters?—A. I believe they carry spawn the whole season.

Q. At what time do you think the lobsters drop their spawn?—A. I think they drop them the last part of July and the first part of August.

Q. Do you think the lobsters come in towards the shore to spawn?—A. I think so, to the soft bottoms.

Q. Is there any time during the season when lobsters are not fit for food?—A. Well, those that are right soft in the shell are not fit, but you always have a big number of lobsters that are fit to eat at any time of the season.

Q. At what size do you think the lobster is fully matured?—A. I believe the lobsters from 8 to 10 inches are a pretty good size.

Q. Did you ever see any lobsters smaller than 8 inches with eggs on them?—A. I don't believe so. I have never remarked particularly enough to measure them, and I don't believe I ever saw lobsters inside of 8 inches with spawn on them.

Q. What would be the average size of the lobsters you have seen with berries attached to them?—A. They would average fully 10 inches or more.

Q. Is the existing regulation for the protection of the berried lobster observed?—A. Well, not all together.

Q. Do you think any fishermen observe it at all?—A. Not much.

Q. Is the regulation with regard to the size limit observed at all?—A. Yes, to a certain extent.

Q. But not thoroughly?—A. No, sir. It is to a certain extent.

Q. Were the regulations ever observed?—A. I believe they were always about the same.

Q. You think that in the beginning the regulations were not more strictly observed than they are now?—A. No.

Q. Then it has always been the same thing?—A. Less, if anything.

Q. You think the regulations are better observed now than they formerly were?—A. I know that I have seen them throwing small lobsters away more frequently than before, but they did not amount to a big quantity.

Q. Out of every 100 lobsters found in the traps, how many are egg bearing?—A. Sometimes you will find two or three out of a hundred and other times you will not find one in a hundred. I have seen lobsters spawning early in the spring.

Q. But the spawn would not be so ripe?—A. No.

Q. Did you notice a difference in the appearance on the spawn at the various seasons?—A. Oh, yes, you can tell.

Q. How can you tell?—A. They are bigger and turning red.

Q. You know then that the lobster is about to spawn?—A. Yes.

Q. At what season?—A. In July.

Q. What do the fishermen do with the berried lobsters found in the traps?—A. Well, I have heard that they sometimes strike the lobsters on the water and get the spawn off and then bring them to the factory. Sometimes they bring the lobsters in with the spawn on and they are packed that way.

Q. And do the canners make any scruple about accepting berried lobsters?—A. Well, not very much.

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Q. What is the reason for your not making any objection?—A. Well, the lobsters are so scarce that we take anything that comes along.

Q. Have you ever been told that if you did not take the berried lobsters, somebody else would?—A. Yes, I have had a man tell me that.

Q. I have heard canners give as a reason for accepting berried lobsters that they were told: 'If you do not take them I will sell to somebody else'?—A. I had a man tell me the same. It was John Buck, Grindstone island. He told me that he had a lobster factory on the north side of the island and would not take any spawn lobsters. He used to throw them in the water and the fishermen at the other factory alongside used to fish those lobsters, and he lost quite a lot in that way.

Q. Do the canners make any examination for the purpose of detecting berried lobsters, or is delivery made at the cannery under conditions which render it almost impossible to separate them?—A. Well, the only practical way would be at the fishing ground, because when the lobsters are brought into the factory sometimes they are weak and sometimes they are dead.

Q. It is too late then to take any action?—A. Yes.

Q. As a rule at the factories they receive a large quantity of lobsters and do not stop to cull them. Do you think the berried lobsters could be separated from the others without unnecessary expense and delay?—A. I think so.

Q. If all the canners were to unite in refusing to accept berried lobsters, would it not have the effect of causing the fishermen to return them to the water?—A. Yes.

Q. Would it be possible to get the fishermen to do that?—A. The only possible way is by means of an arrangement among the canners, a universal arrangement not to accept them.

Q. What do you think of the proposition to purchase from the fishermen the seed lobsters taken in their traps and then liberate them at once or place them in pounds until the close of the season?—A. At our West Point factory, Entry island, we could not do that, or at Dead Man's island either. Where it is practicable it would be of advantage, but there is no place I could suggest where it could be done.

Q. At what period of the season are berried lobsters taken most numerous?—A. I believe there are more about the middle of July, but they are taken at all times.

Q. Are you aware of any fishermen having lost their catch of lobsters by the canners refusing to take them?—A. No, sir.

Q. What would you say as to the wisdom of establishing reserves for certain periods at various points in succession along the coast?—A. I would not believe in that.

Q. Is the present restriction of the number of canning licenses satisfactory to the fishermen?—A. I believe it has reduced the number of canneries and made things a little better.

Q. You think the regulation has reduced the number of canneries?—A. I am not sure that it did, the number has been reduced for some reason.

Q. Are you in favour of limiting the number of canning licenses, and if so, what limitation would you suggest, or would you give a license to every man who is qualified to pack?—A. That is a point I cannot decide. I believe there are plenty of licenses already granted, but to say that we should have a license and our neighbour not, is something I cannot comprehend. I don't know what to say about that, but I know there are plenty of licenses already granted.

Q. The number of licenses has fallen off greatly from what it was at one time. What has led to that, do you think?—A. It is more the decrease in the fishing.

Q. And the fact that a great many people went into the canning business who did not know much about it and found it unprofitable?—A. It pays better to fish and to sell their fish than to—

Q. Than to can on their own account?—A. There is no doubt about that.

Q. How would you determine the fitness of an applicant for a license to put up lobsters in a satisfactory manner?—A. I believe a man ought to have some past ex-

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perience about lobster packing before being allowed to go into the business. That, of course, it pretty nearly settled now because those that did not know anything about it do not pack any more.

Q. Do you think that it would be wise to have an inspection of the product of lobster canneries? Do you know of canneries where a little inspection would be desirable?—A. There have been some, but those things have changed a little. The places where they used to pack with almost no buildings at all have disappeared and the business is on a better footing.

Q. You think the business is on a better footing and that those engaged in it are more careful of the pack?—A. Yes, sir.

Q. They have been obliged to be more careful?—A. Yes, the market has brought that about.

Q. What market would the fishermen in this district have for their lobsters if the canneries were closed?—A. None. Under the present circumstances I don't see any market for them.

Q. If the present size limit of 8 inches were strictly enforced what effect would it have on the canner?—A. It would certainly diminish his pack some.

Q. In some places the evidence is that a strict enforcement of the size limit would close up all the canneries; that would be the case here?—A. I don't think so; the canneries would not close.

Q. Are the existing penalties adequate, in your opinion, if strictly enforced?—A. I think the present penalties are enough if they were enforced.

Q. Do you think a canner's license should be cancelled if he persistently violates the law?—A. I think it ought.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. I would suppose so.

Q. If the present canneries are packing a certain quantity of undersized lobsters an increase in their number would mean a proportionately greater pack of undersized fish?—A. It would.

Q. Do you think the lobster fishery has reached such a low point that it would be wise to close down everywhere for a term of years?—A. This year there were less lobsters packed on account of the storm, but I believe had the weather been an ordinary season we would have packed fully as many as we did several years ago.

Q. Was your loss of traps great this year?—A. Yes.

Q. What percentage of traps was lost?—A. Two-thirds of our traps.

Q. When did the storm take place?—A. On the 17th May.

Q. Would you refuse a canning license to an alien?—A. I would think so, especially in the present stage of things. When it has already gone so far I do not think foreigners should have any more licenses.

Q. Would it be possible to observe the law with regard to size limit and still continue canning in the Magdalen islands?—A. It is pretty hard for me to tell. I know if the regulations were strictly enforced it would make a difference.

Q. It would make a considerable difference to those canning in the bay, but not to the canners at West Point would it?—A. No, our lobsters there are of a good size. I don't think it would make much difference.

Q. Do you think it would put the canners out of business altogether?—A. I don't think it would.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of those holding canning licenses to operate their factories although enough lobsters were offered for the purpose. Have any such instances come under your notice?—A. I think the fishermen always find a sale for the lobsters easy enough. There are always more buyers than there are fishermen.

Q. Who fixes the price paid for lobsters?—A. Well, the fishermen do, more than the packers. Of course the packers have something to say, but there is a sufficient number of packers who want to buy, that put up the price to the full value.

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Q. There is no combination or arrangement on the part of the various cannery in the Magdalen islands to keep the price down, is there?—A. No, sir.

Q. There is competition then?—A. Oh, yes, it is right in its full life here.

Q. Are you aware of any complaints by fishermen that the price paid by the canner is not sufficient?—A. No, sir, not here. We had to put our price lower and the fishermen felt they should have more, but they understand fully that the market was the cause of it, and they were well satisfied with the price paid.

Q. Do you think the fishermen would make more money if allowed to can for themselves?—A. No, sir.

Q. Would the co-operative plan be a success here?—A. It has been tried here by the fishermen. I don't believe it is any benefit to them to get a license to can because they have done it here and given it up. They got tired of the experiment and went back to fishing. We have advanced them ourselves packing material.

Q. From your experience can you say whether the government hatcheries have helped to keep up the supply of lobsters?—A. There are no hatcheries here and I can only speak of what I have heard. I have heard that they did but I do not know from actual experience.

Q. Then from what you have heard as to their successful operation you would recommend the establishment of a hatchery here?—A. Yes.

Q. In the lagoons on these islands you have natural pounds, have you not?—A. Yes, there is one back of this harbour.

Q. Do the lobsters go into them to spawn?—A. They are going into the lagoons about this time, about July 15.

Q. Why do lobsters go there?—A. I believe they go in to spawn.

Q. How long do they remain in the lagoons?—A. About a month and a half or two months.

Q. Coming out about when?—A. About the last of August and the first part of September.

Q. You believe those lagoons are a natural spawning ground for the lobsters?—A. I think so.

Q. Would you advocate opening the lagoons to fishing or keeping them closed as is the case at present?—A. I think for the benefit of the preservation of the lobsters in the future they are better closed.

Q. Do you find many lobsters in your traps that are less than 7 inches in size?—A. Very few.

Q. Speaking regardless of measurements or anything else, what would you say would be the average run of the lobsters here in the bay?—A. I think the average is between 8 and 9 inches.

Q. And what would be the average at West Point?—A. A little larger than that.

Q. Would you favour increasing the size limit to 9 inches?—A. No, sir.

Q. It was 9 inches originally?—A. Yes.

Q. Would you favour a reduction in the present size limit?—A. I think they should be taken down to 7 inches.

Q. All over that?—A. I think so.

Q. Are you getting a smaller run of lobsters in your factory to-day as compared with the lobsters of ten years ago?—A. There is not very much difference in ten years, they are a little smaller.

Q. Yes, but there is a big difference compared with the early days when lobster fishing began?—A. Yes, there is a big difference.

Q. Do you remember when lobsters were first packed on the Magdalen islands?—A. Yes, over thirty years ago, perhaps thirty-five.

Q. Were lobsters very abundant then?—A. Yes.

Q. Were any regulations in force when lobster packing began?—A. There was a limit in the open season, but I don't know of any other regulations. I remember twenty-five years ago there were regulations then.

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Q. What were the regulations twenty-five years ago?—A. They were not to take any spawn lobsters and the size limit I think was 9 inches.

Q. To what cause do you attribute this decline in the size of the lobsters? Is it the natural result of over-fishing?—A. It is certainly over-fishing, or it may be that these lobsters have gone to some other ground.

Q. Different size limits in adjoining sections of the shore are said to be unsatisfactory and to encourage violations of the law. What is your opinion?—A. I don't think there should be any difference in size.

Q. Is it the fact that the larger the lobster the less number it takes to fill a pound can?—A. I guess it is.

Q. Some people claim that a very large lobster does not yield proportionately as much meat as a medium-sized lobster.—A. Not in proportion to the size but they are always bigger.

Q. As a rule it will take fewer large lobsters to fill a pound can than small ones?—A. Yes.

Q. You do not think that the very large lobsters throw their shell every year?—A. I don't think so.

Q. If it is true that nine 7-inch lobsters, which have not been afforded an opportunity of reproduction, are required to fill a pound can, what effect will the taking of so many of immature size and berried lobsters as well have upon the fishery?—A. It will certainly decrease it.

Q. Would you favour reducing the size limit to 7 inches and stop the taking of berried lobsters, or would you favour shortening the season, and abolishing the size limit in each case, strictly enforcing the berried lobster regulation?—A. There is no quantity of lobsters packed smaller than 7 inches. I don't believe there is one box during a whole season of lobsters smaller than 7 inches packed. That is why I thought that if the size was brought down to 7 inches and you enforced the protection of the berried lobster the seasons could remain the same.

Q. In return for allowing 7-inch lobsters to be caught could not some time be taken off the season?—A. It is already short enough.

Q. But you would get an increased number of lobsters without violating the law, would you not?—A. Not many.

Q. And then you would have the hope of improving the lobster fishery in a few years?—A. There are years when we do not pack until the 12th and 15th May. That makes the season very short.

Q. How many fishing days do you reckon you get each season?—A. Some years as low as 25, I don't believe we have had that this year. The season for fishing being so short and storms on half the time, makes it very difficult.

Q. Could a size limit of 10½ inches be maintained here without detriment to the lobster industry?—A. No.

Q. You do not see many lobsters in the bay over 10½ inches?—A. No.

Q. What kind of trap is best adapted to taking the large lobsters and allowing the small ones to escape?—A. A trap that will catch the big ones and leave the small ones.

Q. Could that be facilitated by any special kind of a trap?—A. Well, there is no means but having the slats put farther apart. There would be some small lobsters caught with a larger space but some would escape.

Q. Would you advocate any change in the trap in that respect?—A. I would not.

Q. Is it true that 30 per cent more lobsters in number are required in the fall than in the months of May and June to fill a one-pound can?—A. Not that many, but there is some difference.

Q. Is it true the size limit has never been recognized in this district?—A. It has been recognized.

Q. There has been some attempt to observe it?—A. Yes.

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Q. Have you warned your fishermen yourself not to bring in undersized lobsters?
—A. Yes.

Q. Did you make any attempt to see that they observed the size limit?—A. Perhaps we are not as strict as we ought to be, but we have told them that we do not want any small lobsters.

Q. Have you been visited by the officers of the law and warned?—A. Yes.

Q. Were you ever fined?—A. No, sir.

Q. Did you ever know of anybody being fined?—A. I have heard of Ogilvy being fined, but that was before my time.

Q. Do you think that lobster fishing should be kept farther off the shore, and would this enable the immature lobsters that come in near the shore to be better protected and restrict the catch more to full grown lobsters?—A. There are places or localities where that could be done but here it would simply mean that we could not fish at all. If we were compelled here to go beyond a quarter of a mile we would get no fish at all because the lobsters go right into the shore.

Q. During what portion of the open season is the fishery most actively prosecuted?
—A. From the 10th of May down to the 15th of June.

Q. Is the present regulation regarding the close season satisfactory?—A. I think it is, but we should be allowed to fish ten or fifteen days earlier in the fall. I mean begin about the 20th August instead of 1st September.

Q. You think the fall fishing should begin earlier than it does now?—A. Yes, by ten or fifteen days.

Q. Do you think that fall fishing is of any real advantage?—A. I cannot say. I don't know whether it is any advantage or not. I believe it will be this year because there is nothing else.

Q. Could you fish on the north part of the Magdalen Islands in September?—A. They do not, I think.

Q. Do you think the quality of the lobsters packed in the month of September is equal to those put up in the months of May and June?—A. As far as I know it is. It might be a little inferior, it is certainly no better.

Q. If you had an increased number of fishing days in July do you not think it would do away with the necessity of any fall fishing?—A. After the 10th or 15th July there is no fishing.

Q. Do you generally fish right up to the very last day of the season?—A. Up to 10th July. I think myself that fall fishing should exist.

Q. Don't you think it is burning the candle at both ends?—A. I think for this year it should be allowed, but I believe that fall fishing is no good in general.

Q. This is an exceptional year owing to the short season, the great loss of gear and the bad condition of the fishery in general.—A. I would not like to say one way or the other, but I do not think it is much good.

Q. Are any live lobsters shipped from this district?—A. None.

Q. Should the shipment of live lobsters be favoured in preference to canning?
A. I don't think so.

Q. Are the existing facilities adequate for the proper handling of live lobsters?
A. There are no facilities. As I say I believe that if there are, it would certainly pay to ship live lobsters but at present I don't see any chance to do it.

Q. It has been said that in a few years the live lobster trade will replace canning altogether?—A. I don't think that will be the case here.

Q. Have any shipments of live lobsters been made by the fishermen in this district?—A. I think there have been some shipped but they were all dead when they reached Halifax.

Q. Is there any other matter that you would like to refer to?—A. No, sir, there is nothing I think of now.

Witness discharged.

Commission adjourned.

CAP D'ESPOIR, July 20, 1909.

J. W. WINDSOR, packer, Montreal, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing, how many canneries do you control and where are they situated?—A. I have been packing lobsters for 35 years.

Q. How long on your own account?—A. I suppose about 30 years for myself. As to factories I have two at Miscou island, New Brunswick, one at Mal Bay, one at Newport, one at Little River west, one at Cap D'Espoir, one at Perce and several others not now in operation.

Q. Roughly speaking, what would the output of those canneries represent this year and what is the best pack they ever turned out?—A. I suppose the output of those places this year, roughly speaking, would be about 2,000 cases. As to what they have done in the past at the Cape alone, the output would be 1,400 cases in early years. From Miscou island has been shipped as many as that and more. When we opened the factory at Mal Bay we got as many lobsters out of 400 or 500 traps as can be got to-day out of 2,000.

Q. How along ago was that?—A. That is about 20 or 25 years ago.

Q. What other canneries are licensed in your immediate neighbourhood?—A. At Miscou there are five, two of Loggie's, and one each of Macgregor, Young and Ward.

Q. How many boats do you employ?—A. 40 or 50.

Q. What number of traps do you fish altogether now?—A. Roughly speaking, about 10,000 traps.

Q. What number of hands do you employ afloat and ashore?—A. I should say a couple of hundred hands on this side from Newport to Gaspé and about 75 to 100 on the New Brunswick shore.

Q. Is your annual pack decreasing or otherwise?—A. This year it was better than last year. It has been decreasing for the last few years.

Q. Do you keep up your pack by the aid of increased gear and closer fishing?—A. I suppose we do.

Q. How does the present number of traps compare with the number you fished at the beginning in the same number of factories?—A. We had a less number originally.

Q. For a much larger pack?—A. Yes.

Q. Are you fishing a larger number of traps than you used to fish formerly?—A. Not very many unless we go back several years. In the early history of our packing we would have considerably less traps. The first year we put out traps at the Cape we had 1,400 or 1,500 cases, but that year we had a large number of trawls. Now we do not trawl at all.

Q. How was the weather this year?—A. It was all right except for two storms. There was one on the 23rd June which lasted for about a week that finished everything. Up to that time the weather had been all right and it would have been a favourable season but for that storm.

Q. Did you lose many traps then?—A. We lost everything almost, it practically closed the fishery.

Q. Is it your opinion that the supply of lobsters is being kept up by taking lobsters that formerly were rejected, as well as using an increased amount of gear?—A. Yes, I suppose so. My opinion is that, as in the case of the British Columbia salmon,

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every four or five years we have an increase. We have had two poor years, last year and the year before. This year helped us out.

Q. In your opinion the lobsters run a little like salmon in British Columbia, there is a series of good years and a series of bad?—A. Yes, I have come to that conclusion, I have noticed that. The lobsters seem to leave the shore and come back again. Then I notice if we get the lobsters in the spring the moment we put out our traps that is a good year. We don't have as good a year if we don't get them at the start. If they do not come in at the start they will not come at all in any quantity.

Q. How many pounds of lobsters does it take to the pound can?—A. They have varied a little this year. At one of our factories it took four and two-third pounds to the can and 224 pounds to the case, while at the Perce factory they only panned out 240 pounds to the case. There were better results towards the end of the season than at the start. The lobsters are very empty at the start, much more so than at the end of the season. You get better results in the middle of May and in June than you will at the first of May.

Q. When lobsters come in first they are not in as good condition as they are a few weeks later?—A. They are not as full.

Q. Do the fishermen own the boats and gear or do you supply the outfit?—A. I supply the outfit generally. There may be one or two outside who have their own flats, but we supply everything practically.

Q. It has been suggested that for the better control of the lobster fishery, the fishermen should be required to register and take out a license at a nominal fee. What do you think of the idea?—A. It might work where the fishermen supply all the traps and sell their lobsters to the cannery; but where the canner himself supplies his own gear I do not see that it would work at all.

Q. Do you think that this would have the effect of inducing the fishermen to observe the law and report any violations they happened to notice?—A. It is my opinion now that the fishermen generally see that it is to their interest to throw overboard all spawn lobsters. I have seen very few spawn lobsters this year.

Q. The creation of a Fisheries Board for the management of the lobster and other fisheries in the maritime provinces has been suggested, would you approve of this suggestion, and, if so, how should such a board be constituted?—A. I should think you could get level-headed men that would do their duty as they ought and not be inclined to favour any one.

Q. Such a board, of course, would be entirely independent?—A. The best men you could have for that board would be men who are directly interested in the fisheries. I should think the largest operators would be the better men.

Q. The fishermen would have to be represented on a board of that kind?—A. Some of the fishermen are pretty good men. I do not think there is any need of anything of that kind on this coast, but in Prince Edward Island and New Brunswick, where the fishing is more congested, it might be needed.

Q. How does the price now paid for lobsters compare with the price paid when the industry was first started?—A. When we commenced at Miscou first we bought lobsters and furnished the gear, as we do now, at 12½ cents per hundred pounds, and we boarded the men. To-day we buy them at Miscou for \$1 per hundred weight and board the men. On the Gaspé side the lobsters to-day cost me \$1.50 a hundred weight and the men board themselves.

Q. You have some fishermen employed on wages?—A. Quite a number on wages, and they produce the cheapest lobsters. They have proven so this year at any rate.

Q. They were imported men, were they not?—A. The imported men were paid by the hundred weight.

Q. From your observation as a canner, what are the spawning months of lobsters?—A. I think they spawn all the time, but I should say from the 1st July on.

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Q. Do you believe that the lobsters approach the shore for the purpose of spawning?—A. I think they approach the shore for the purpose of spawning, getting under the rocks and places of that kind, it might be for warmer water.

Q. Is there any part of the season when lobsters are not fit for human food?—A. I should say when they are casting their shell.

Q. At what size do you consider the lobster to be fully matured?—A. I should think from eight to ten inches.

Q. What is the smallest lobster you have ever seen bearing berries?—A. I would not like to say they were under seven or eight inches. I do not think I have seen them six inches; seven or eight inches is the smallest I have noticed.

Q. Could you from your observation state whether the lobster spawns every year or every two years?—A. I could not say.

Q. What proportion of the lobsters taken in the traps is below the legal size limit?—A. This year our lobsters are of very good size generally. I should say the percentage of lobsters under the legal size would be small, that is for Gaspe. For New Brunswick I could not speak so well because I have been there very little. Speaking generally, there is a very small proportion below the legal size.

Q. Could you give the size in inches of the balance of the lobsters packed by you?—A. The bulk of the lobsters I should say would be from 8 to 10 inches.

Q. What percentage would be over 10 inches?—A. There would be 5 per cent over 10 inches.

Q. What is the average size of the berried lobsters taken in your district?—A. I would say the average size would be 8 or 9 inches.

Q. What is the size limit in your division and what is the open season for lobsters?—A. The size limit is 8 inches and we fish from the 20th April to the 10th July.

Q. What has been your practice with regard to the taking of berried and undersized lobsters?—A. Our instructions to the fishermen are to liberate the berried lobsters and the small lobsters also, but it is very hard to get the fishermen to comply with that when they are fishing by the hundred pounds; they are anxious to get everything they can. But as far as the berried lobsters are concerned, our fishermen now are waking up to the fact that it is to their interest to liberate all spawn lobsters.

Q. What would you think of a proposition requiring the canners to pay an increased fee, instead of 2 cents a case as at present, and in that way realizing a fund for the purpose of purchasing the seed lobsters from the fishermen?—A. I have very little faith in hatcheries. I think if a person could get the fishermen to liberate the seed lobsters and then pay them for any they released, it would be a good plan. That is, if you could get them to be honest about it, if they would brush off the spawn from the lobsters and then put them back on you again.

Q. Have the regulations for the protection of the lobster ever been observed in your district?—A. Strictly speaking, no; they could not be. You would want all the officials in the country to enforce the regulations taking into account the size of the lobsters and other regulations.

Q. What would be the effect of strictly enforcing the present regulations?—A. You could not continue to can lobsters and throw out every lobster under the legal size. The fishermen would not stay by the business I imagine.

Q. Have you any change in the existing regulations to suggest?—A. Yes, I would suggest that we should shorten the open season.

Q. At the beginning or the end?—A. At the end. I think that you might open as soon as you can because in this country conditions regulate that all right. Although we are allowed to open on the 20th April we very seldom commence then although some times we might. I would let the fishermen commence when they liked, as soon as they can, but finish say 20th June.

Q. Have you kept any record of the number of days that you fish in a season?—A. Yes, very minutely.

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Q. What is the average number of fishing days each season?—A. If you take out the bad weather and all that, I would say thirty-six days one season with the other.

Q. What percentage of the lobsters taken in the traps in your neighbourhood bear eggs, and during what period in the season are berried lobsters most numerous?—A. Our percentage is very small, especially this year. I have noticed fewer berried lobsters this year than for a number of years back.

Q. That might be because the fishermen are more careful about bringing them in?—A. That might be too. I tell my fishermen right along to liberate these small lobsters and berried lobsters because we do not want them. We look after the industry ourselves.

Q. Would it be a difficult thing to keep the run of the small and berried lobsters where you are handling a large quantity?—A. Very difficult.

Q. Is the practice of stripping or washing the eggs from the female lobster followed by the fishermen here?—A. Not that I know of.

Q. Do the canners make any scruple about accepting the berried lobsters?—A. When the lobsters are brought in everything is weighed. If there happens to be spawn lobsters in the lot they pass with the others. But we generally remind the fishermen, if they find them to be careful and liberate them.

Q. If the canners refused absolutely to accept berried lobsters from the fishermen what would happen?—A. As far as this coast is concerned I think we could have that law enforced here because I have seen very few berried lobsters brought in. We might have some chance of enforcing the law here but I am not so sure of Miscou. There is quite a spawning ground out there.

Q. Has it been your practice to make any examination for the purpose of detecting the berried lobsters when delivered at the cannery?—A. No more than to glance at the lobsters when weighing them and seeing them. When we are shelling the lobsters we can tell those that are berried by the amount of coral.

Q. It is very difficult to detect the berried lobsters before they are boiled is it?—A. That is right.

Q. If the canners refused to accept the berried lobsters would it not have the effect of inducing the fishermen to return them to the water?—A. Once they are brought ashore, after they have been out of the water any time, it is no use returning them. It should be done immediately the lobsters are taken out of the traps.

Q. What I understand you to say is this: It is too late when the berried lobsters have reached the weighing table to return them to the water, they would hardly survive, they should be returned when they are taken out of the traps?—A. Yes, because it is sometimes some hours before the lobsters are brought in.

Q. Do you think it would be possible to get the fishermen to undertake to return to the water all the berried lobsters taken in their traps?—A. I think it is possible on the Gaspé coast to have that done. They are waking up to the necessity of that now themselves.

Q. What would you say as to the proposition that the government should buy the seed lobsters from the fishermen and then liberate them at once or place them in pounds until the fishing season is over?—A. I do not see how that could be done on this coast. There is no place where you could keep them at all on the Gaspé coast because it is so very exposed. I do not think it is practicable to carry out that suggestion. The only thing would be to liberate the seed lobsters from the traps the moment they are taken and give them their freedom. If you could get the fishermen to do that it would be the best thing.

Q. Do you know of any case where fishermen have lost their catch of lobsters by the canners refusing to accept them?—A. I have known of nothing of the kind.

Q. There is competition here as to the price paid for lobsters? The fishermen are not tied down, if they do not sell to one canner they can to another?—A. Certainly.

Q. There is no combination on the part of the packers here to keep down the price?—A. Not at all, nothing of the kind.

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Q. The Lobster Commission of 1898 recommended that temporary reserves should be established at various parts along the coast where fishing should not be allowed for one or two years, such reserves to be changed from time to time. What do you think of that idea?—A. I do not think that would work very well. There is a lot of money invested in lobster packing and so long as a man is interested in it he must keep the business up or get into something else; he cannot drop it for two or three years and then go back again into it.

Q. Is the present regulation restricting the number of canning licenses satisfactory?—A. It is satisfactory to me here.

Q. It has not been strictly enforced anyway?—A. That is what is the matter.

Q. Do you think there is any good reason why every man who wants to can should not be granted a license?—A. You would have too many factories then. I think there are quite enough factories in operation now.

Q. The thing has settled itself, a good many have gone out of the business?—A. Yes.

Q. How would you establish the fitness to can of an applicant for a license?—A. Lots of men might want to go into the cannery business who do not know anything about it at all. A man going into business should be thoroughly practical and competent. I think that canneries should be compelled to conform to a certain standard.

Q. Would it be possible or right to establish a standard of fitness for a license to can?—A. I certainly think it would.

Q. Supposing you were told to fix a standard, what would be the main point you would insist on?—A. I should insist on cleanliness, first, last and all the time. You would want to have a suitable building properly equipped for the business.

Q. What equipment would you insist on?—A. Where the lobsters are handled on tables and such like, they should be of such material as to ensure that there should be no fear of dirt. I should say that the pans or trays that the meat is handled on, after it is shelled on the packing table, should be either porcelain or some material of that kind, different from the ordinary packing tables as used in the factories generally to-day. The packing and cracking tables should be made of proper material or properly covered. I would suggest that the packing table itself should be covered either with plate glass or marble. In my new cannery at Newport I have installed an enamelled tray about 6 feet long and about 2½ feet wide by 5½ inches deep, with a drainer in the centre. We find this to work very nicely. It has a nice appearance and is easily kept sweet and clean. While the character of the equipment in lobster canneries has much improved on what it used to be, there is still room for improvement. A few years ago the lobsters were boiled and allowed to stand on coolers exposed to the air until the next day, and sometimes two days when there were lots of lobsters. Now it is pretty generally known that the sooner lobsters are canned when they are cracked and opened, the nicer and brighter product is put up. In our own case we never carry lobsters over from one day to the other, but within a few hours after they are brought to the factory they are sealed up and bathed.

Q. Should not the product of the canneries be subject to inspection?—A. Yes.

Q. How is it in the case of the other canneries where you put up fruit and vegetables, is there any inspection?—A. Yes, there is a government inspection.

Q. Should the inspection of the product of lobster canneries be made by the existing staff?—A. I think so.

Q. It has been asserted that if the catch of lobsters were still further curtailed, the canneries would have to shut down. What is your opinion on that point?—A. In answer to that I would say the season here regulates itself. Even without any government rules, so far as Gaspé is concerned, the season regulates itself. It does not pay us to pack after 20th June; for years it has not.

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Q. Would there be any real hardship to the fishermen in cutting them off at that time?—A. No, they go into the cod fishing and other industries and are very glad of it. They get the cream of the fishing and then close up.

Q. It is during the last three or four weeks of the season that the damage is done in taking lobsters?—A. That is right. After the 20th of June the lobsters would have their freedom. It is to the interest of everybody that we should close at that time to protect the lobster fishery.

Q. Your idea is that if the season were shortened it would eventually lead to an increased catch of lobsters and the fishery would benefit?—A. That is right.

Q. You would not object yourself to closing down on the 20th June, because it would, in your opinion, eventually lead to an increased catch of lobsters and more than make up for the shortening of the time?—A. Yes.

Q. In your opinion the most easily enforced regulation would be that of shutting down on 20th June?—A. Yes, and not give any extension of time afterwards for all the politicians in the country.

Q. What market would the fishermen in your district have for the lobsters if the canneries were closed?—A. No market at all that I know of. It would not be practicable to ship to any market with the existing facilities, it is too far away. I have often remarked to the inspectors that if the regulations were strictly enforced we would have to close right away; we could not measure and pick out illegal or small sized lobsters. If we can get the fishermen interested enough to throw these lobsters overboard right away, they can do it. We must educate them into seeing that it is to their interest not to catch small sized or berried lobsters. The fishermen have complained to me that if the size limit were enforced strictly they would give up fishing.

Q. Are the existing penalties, if strictly enforced, sufficient to deter packers from violating the regulations?—A. I should think so.

Q. In the event of a canner persistently violating the law would the preservation of the lobster industry demand the cancellation of his license?—A. Yes, by all means, if a man persisted in violating the law.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further packing licenses be discouraged?—A. Yes, I think there is a sufficient number of licenses now.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. I should think it would, you have got to fish all the harder. We do not use nearly as many traps ourselves as when we were in competition with others.

Q. In the interest of the lobster industry would you favour a general closing down for some years?—A. I do not think it is practicable.

Q. Would you refuse a canning license to an alien?—A. I certainly would refuse a license. I think the Americans are fishing all our waters now. Take the Portland Packing Company, time and time again I have brought that matter before the government.

Q. The canners this year reduced the price paid for lobsters did they not?—A. This year the price had to be reduced on account of the market conditions. The last two or three years, prices for lobsters have been very high. The market price in 1907 went up very high. In 1908 there was an upheaval and this year in order to save ourselves we had to reduce the price slightly.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of those holding canning licenses to operate their factories although a sufficient supply of lobsters was available?—A. That has not been the case in our district.

Q. Which branch of the lobster industry do you think is the more remunerative to the fishermen and best calculated to maintain the supply unimpaired, the canning or the live lobster trade?—A. We have never dealt in the live lobster trade in this district at all.

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Q. How is the price paid for lobsters established?—A. The market conditions fix the price.

Q. Are you aware of any complaints made by the fishermen that the price paid by the canners is not satisfactory?—A. No.

Q. Could the fishermen make more money if they were allowed to can?—A. In my opinion the fishermen could not carry on the canning industry at all.

Q. What would you think of the policy of encouraging the fishermen to co-operate in canning?—A. I would not encourage it at all.

Q. Are there any co-operative canneries in your district and how have they succeeded?—A. We have none.

Q. From your experience can you say whether the government hatcheries have helped to maintain the supply of lobsters or not?—A. We are not close enough to them to express an opinion. Personally I have very little faith in hatcheries.

Q. The system of placing berried lobsters in tidal pounds for the purpose of hatching out has been successfully tried in Cape Breton and on the eastern coast of the United States. Have you any observations to make with respect to the value of this method of breeding lobsters?—A. I have not studied the subject sufficiently to be able to express an opinion.

Q. You will venture to say that so far as the Gaspé coast is concerned the facilities for establishing pounds do not exist?—A. We have nothing of that kind.

Q. Would you favour an increase or a reduction in the present size limit?—A. I think I would just leave it as it is.

Q. When was lobster canning first introduced into your neighbourhood?—A. I should say about 35 or 40 years ago. I was about the first to can. My father canned the first lobsters ever put up in the Baie des Chaleurs.

Q. What were the regulations then in force?—A. No regulations whatever as to time, size or anything else.

Q. To what cause do you attribute the decline in the size of the lobster?—A. Over fishing in former years I should say. Then they fished all the season through.

Q. An expert has suggested that a minimum size for lobsters of 9 inches be established for the waters north of Cape Canso and 10 or 10½ inches for the waters south and west of Canso?—A. As I have already stated, my idea would be to leave matters as they are with regard to this district. As to districts outside I have no opinion to offer.

Q. Do you think that different sized limits and seasons in different sections are unsatisfactory and tend to encourage violations of the law?—A. I would not care to express an opinion.

Q. Is there any reason for having a smaller size limit in your district than in other districts?—A. No, sir.

Q. When lobster canning was first introduced were not the lobsters about the same size all over the coast?—A. They were always the same all over.

Q. Is it in the interest of the lobster fishery that lobsters should be taken before they reach the age at which reproduction takes place?—A. I should think it would be in the interest of the fishery that they should not be taken.

Q. Is it invariably a fact that the larger the lobster the smaller number it takes to fill a one pound can?—A. As far as weight goes, it may take a little more in weight than the smaller ones. Some times the smaller lobsters are fuller of meat.

Q. It is estimated that it takes nine 7-inch lobsters, which lobsters have not been afforded an opportunity of reproduction, to fill a one pound can; if this is correct, what effect must continued fishing of such immature lobsters have upon the industry?—A. I should say that where they continue to take nothing but those small lobsters they are going to injure the fishery. That would be inside Northumberland Straits.

Q. The statement has been made authoritatively that the strict enforcement of
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an 8-inch limit, together with the assistance of hatcheries and pounds, would perpetuate the lobster industry; do you concur in that?—A. I have already expressed my opinion about hatcheries, but in this district it is not possible to carry on the industry and limit the size exactly to 8 inches.

Q. Could a size limit of 10½ inches be maintained without detriment to the lobster industry?—A. No, you could not do that at all.

Q. What kind of trap is best adapted to allow the small lobsters to escape? A good many people think we ought to open the slats of the trap a good deal wider than they are at present. You leave an inch space between the slats in your traps, do you?—A. About an inch.

Q. Would the small lobsters escape with the openings in the traps made larger?—A. You would have to make the openings considerably larger, I imagine. I don't think I would alter the trap any.

Q. Is it the case, as stated by some persons, that 30 per cent more lobsters in number are required in the fall than in the months of May and June to fill a one pound can?—A. We do not have any fall fishing in this district, and I have already expressed my opinion that it takes less lobsters in the latter part of the season than it does in the first.

Q. Do you think that lobster fishing should be maintained farther off shore and would this enable the schools of immature lobsters which come inshore to be better protected?—A. Yes, I think that is all right.

Q. Do you fish farther off shore in the beginning of the season than you do towards the end?—A. Yes. Provide for a depth of water to be fished in if you want to, say anywhere from four to ten fathoms, and not go inside that.

Q. You would prevent the catching of small lobsters and berried lobsters coming in close to shore?—A. I think that is a good thing. You see the fishermen run in after the lobsters and put their traps anywhere and everywhere along the shore. You might just as well trawl.

Q. During what period of the season is the fishery most actively prosecuted?—A. During the month of May on the Gaspé coast.

Q. Is the present regulation regarding the close season satisfactory?—A. Yes, so far as I am concerned.

Q. What, in your opinion, would be the ultimate effect of a shorter open season with no restriction as to size limit?—A. I think that would be all right.

Q. It has been said that in a few years the live lobster industry will do away with canning altogether; what is your opinion?—A. With the present facilities it would not affect the Gaspé coast we are too far away from the market.

Q. Is it the case that canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen, who would, in case of refusal, go to other canners less scrupulous?—A. We have not had that experience in this district. I control all my own traps and gear.

Q. Is there any other matter connected with this investigation that you would like to explain?—A. I suppose it may seem narrow, but you take the large American concerns, with the amount of capital they have at their disposal, and they can kill the small Canadian packers. Their means are so much greater that they are ruining our finest fisheries. It is not the small men on the Gaspé coast and northern New Brunswick who are doing it all. Burnham & Morrill and the Portland Packing Co. are going into the business heavily equipped, and it has been that way from the start.

Q. Like a great many other industries, the lobster fishery has a large investment of foreign capital. But do not these firms employ Canadian labour?—A. To some extent they do. But these American firms have done more than the Canadian to

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fish out our waters. I have had American people say to me in Boston: 'You come over here and try to operate and we will show you how quickly you will have to get out.'

Witness discharged.

Commission adjourned.

PORT DANIEL, July 21, 1909.

JOHN A. SULLIVAN, manager, Port Daniel, called and sworn:—

By the Commissioner:

Q. You are the agent here of Messrs. Hoegg & Co.?—A. Yes, sir.

Q. And you manage the lobster factory?—A. Yes, sir.

Q. How long have you been engaged in lobster packing?—A. This factory has been running 30 years.

Q. Have you always been connected with it?—A. No, but I have been here about 27 years.

Q. Before that were you engaged in the lobster industry anywhere else?—A. I did work as a hand outside with a man by the name of Foy when he started. This company bought the place from Foy. That was a good while ago.

Q. How many boats do you employ at this cannery?—A. We employ about 30 boats, I think.

Q. And what number of hands afloat and ashore?—A. About 68 altogether.

Q. What is the capacity of your cannery?—A. We could pack if we got the fish 1,000 cases. We can always get plenty of hands if we get the fish. We can pack more than 1,000 cases without any trouble.

Q. Are there any other canneries in this neighbourhood?—A. Not right around here.

Q. How many canneries are there on this coast?—A. There are five canneries on this side.

Q. Is your annual pack decreasing?—A. Yes.

Q. What did you pack this year?—A. We packed 788 half cases and last year, to show you that it increased, we packed 567 half cases.

Q. You had a little better output this year?—A. We are about 200 half cases better.

Q. What was the largest pack you ever made here?—A. As near as I can remember—it was a good while ago—it was about 1,230 half cases.

Q. How long ago would that be?—A. That must be seven or eight years ago.

Q. Are you keeping up your pack by the aid of increased gear and closer fishing? Are you fishing more gear now than when you began to pack first?—A. I don't know that we are. Formerly the lobsters were plentiful and they did not require so much gear. Now people have to fit out themselves and the cost is pretty high, and they don't fit out very many traps. I think each man has about 60 traps, sometimes a little less and sometimes a little more. On the average, about 60 traps.

Q. Is it your opinion that the supply of lobsters is being kept up by packing lobsters that formerly were rejected and by using an increased amount of gear? Are you packing smaller lobsters than when you began?—A. I believe we are, for when we first started here in my time the lobsters were big black fellows, and it is only seldom we get them now. Still we got a fairly good run of lobsters this summer. Mr.

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Veit told me to weigh one of the largest, a 12-inch lobster. I put it on the scales and it weighed 3 pounds.

Q. Do the fishermen own their own boats and gear or do you supply the outfit?—

A. Part of them. Part own their own gear and we own the other part. The fishermen get the gear mostly from us in the spring. We supply them and they buy their own gear.

Q. Then they are fishing their own gear?—A. Yes, their own gear.

Q. From your observation as a canner what do you consider the spawning months of the lobster to be?—A. Well, we find them from the time we commence in the spring until we are done on the 10th day of July. We will not find any more then than when we started, but there are always a few right straight along that we come across.

Q. Do you find more spawn lobsters later in the season?—A. Well, I did not this year. I did not find any more spawn lobsters from the time we commenced till we finished; there was the same number right straight along.

Q. The eggs are riper at a certain part of the season?—A. I would say that by the time we knock off the eggs are more ripe.

Q. That is about the 10th July?—A. Yes.

Q. Do you believe the lobsters approach the shore for the purpose of spawning or what is it that brings them in?—A. They come in in the spring to feed. That is what fetches them for we will get no lobsters here until we get a rush of herring, and after that we get the lobsters. You may be sure that when the herrings come in the lobsters will be in also. Before that they are not.

Q. Do you think lobster fishing should be maintained farther off shore and would that enable the schools of small lobsters which come inshore to be better protected?—

A. I do not think so for this reason: That the lobsters apparently have their ground in the spring and they will come into that ground. They will come into 5 or 6 fathoms of water and remain there. There is where we get the heft of our lobsters, and after it gets nice and warm and calm in June they get in close under the rocks.

Q. What do you think brings them in to the shallow warm water?—A. I believe it is natural they should come in there under the rocks. Apparently that is their home.

Q. Can you give me any opinion as to whether the lobster spawns every year, or twice a year, or every two years?—A. Well, I would say, if I were going to say anything, that she spawns once a year, and that is all.

Q. What is the smallest sized female lobster you have known to carry eggs?—A. Well, I have never noticed any that I would say were less than 9 inches.

Q. At what size would you consider the lobster to be fully matured?—A. Some of them grow very large.

Q. But the idea of the question is to show at what time the lobster has reached an age or size at which it can reproduce?—A. Well I would say a 14-inch lobster would be a fully matured lobster. Of course that is taking them in general. Some will go larger than that and some smaller.

Q. Is there any part of the season when lobsters are not fit for food?—A. Well, I don't know of any up to July 10. They are better on July 10 than when we get them in the spring. They are fuller, there is more meat on them and they are in better condition for food then. I have noticed that and I made the remark this summer that we were packing better lobsters than we did in the spring when they first came in.

Q. Do you think that when the lobster has cast his shell he is as good for food as previously?—A. I would not think so.

Q. What is the average size of the lobsters that you find with berries on?—A. Well I would say they would run about from 8 to 9 inches.

Q. Do you see many large female lobsters that carry eggs?—A. Well some 10 and some 9.

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Q. Of the lobsters taken in your neighbourhood in the traps how many per hundred would bear eggs?—A. We do not expect to find any more than from 8 to 10. This summer I have seen very few to tell you the truth. Some days we would have a very good catch, a good many thousands of pounds, and you would see an odd one come ashore here.

Q. Is the practice of stripping or washing off the eggs from the female lobster followed by the fishermen in this neighbourhood?—A. I could not tell you. I do not think it is or very little if there is any. To the best of my opinion there is very little of it done.

Q. Do you think it would be possible to get the fishermen to undertake to return to the water all the berried lobsters taken in their traps?—A. Certainly it is an injury to the fishermen to take them. They understand perfectly well that if they take all the female lobsters and the spawn lobsters they cannot have a good catch next year and they should themselves protect them as much as possible.

Q. If the canners refused to accept berried lobsters would it not have the effect of inducing the fishermen to return them to the water?—A. Certainly it would.

Q. Do the canners make any scruple about accepting berried lobsters?—A. I can only speak for myself. I don't want to see a spawn lobster come to the factory. I have told the fishermen to be careful and they are; I don't see many. I must say they are very good. Of course sometimes they will bring in a small one.

Q. If the canners absolutely refused to accept these lobsters from the fishermen, what would happen?—A. Well all they would have to do would be to throw them out. They could not do anything else, they have got to throw them back into the water again.

Q. Some canners have told us that if they did not accept the berried lobsters the fishermen would say: 'We will take them to some other canner that will,' and they complain they lose their fishermen then?—A. That does not occur here for the reason that there is no other canner right around here.

Q. Has it been your practice to make any examination for the purpose of detecting berried lobsters when the catch was delivered at the factory?—A. I always tell the fishermen to be careful and they don't fetch the small lobsters. In fact we don't want them and there are not many at all.

Q. It has been suggested that one method of protecting berried lobsters would be for the government to buy from the fishermen at a slight advance on the price paid by the canners, all these lobsters taken in the traps, such lobsters to be liberated at once or placed in pounds until the close of the season. What is your opinion of these suggestions and what do you think would be the most effective?—A. There are lots of fishermen that come across spawn lobsters who would throw them away if they had some inducement. Or, if this washing business is going on—of course I don't know anything about it—they would save the eggs and fetch them in.

Q. What would you think of a proposition requiring the canners to pay a larger amount than the present fee of 2 cents and in that way realizing a fund for the purchase of seed lobsters from the fishermen?—A. Well, I don't know how that would work.

Q. The present fee of course is very small. Supposing it were increased with the view of establishing a fund to pay the fishermen something extra for the berried lobsters?—A. It does not seem to me that it would work very good.

Q. What is the size limit in this division?—A. Eight inches.

Q. And what is the open season during which you may fish?—A. From April 20, I think, to July 10. We never commence on April 20. I think it was May 5 before we commenced to catch lobsters and pack them this spring. The 1st of May is lots of time to commence and we made a better pack than we did last year and the last three or four years when we commenced earlier.

Q. What proportion of the lobsters taken in the traps do you think is below the

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legal size limit of 8 inches?—A. Well, Mr. Veit was here this year and he measured them as they came out of the water and found they ran very good.

Q. Have you any idea yourself what proportion?—A. No, I have not very much idea. Of course it would be only a small percentage; there would always be some.

Q. What would you put as the average size of the lobsters you catch here?—A. The average size, taking them one with the other, would run about 9 inches.

Q. Is that a smaller average than you used to pack when you began first?—A. Oh, yes.

Q. Would a strict enforcement of the present size limit compel you to shut down?—A. I don't think it would.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. I believe it would.

Q. Would you favour any increase or decrease in the present size limit?—A. No; I think the way the thing is running the size is all right.

Q. Has there been any noticeable decline in the average size of the lobsters caught in your district during the last 10 or 30 years?—A. Oh, yes, there has.

Q. Is the decrease still continuing?—A. No, I find this year showed up much better than it did last year, and last year showed up better than the year before.

Q. When was lobster canning first introduced in this neighbourhood?—A. I think somewhere about 31 or 32 years ago.

Q. Who began the lobster packing here?—A. As I said it was Mr. Foy. He started upon a very small scale and then my people bought him out.

Q. What were the regulations then in force?—A. Well, I could not say. I was pretty young in those times and I do not remember what regulations there were. I don't think there were any regulations then, they were introduced afterwards. The packer used to buy the lobsters by the hundred, as I remember. It is quite a long time ago and I was quite a young fellow then. I was working for him and did not have very much interest in the matter only for my little pay.

Q. When lobster canning was first introduced, were not the lobsters everywhere around the coast about the same size?—A. All about the same size and you would find them everywhere and lots of them.

Q. To what cause do you attribute the decline in the size of the lobster?—A. It is the packing, of course.

Q. Is it the result of overfishing, do you think?—A. Of course. I don't believe the lobster is like any other fish; I believe you will fish them out. Codfish or herring it does not appear to affect them the same as it does the lobster.

Q. Then you think this decrease in size is the natural result of overfishing?—A. Yes, sir.

Q. It is not the result of any other cause?—A. No.

Q. Do you think that different size limits and different seasons in adjoining sections of the coast tend to encourage violations of the law?—A. I think as far as possible the regulations should be uniform right throughout the coast. When one is shut down, all hands should shut down.

Q. Is there any reason for having a smaller size limit in this district than in any other division?—A. Not that I know of.

Q. Do you think it is in the interest of the lobster fishery that lobsters should be taken before they have reached maturity?—A. Certainly not.

Q. What disposition is made of the lobsters taken below the size limit?—A. Well, of course with regard to the canning of them they are only second class goods to begin with. The way we can here, we trace them all out and put the best meat in the first quality cans. Then the little ones with the small meat go into the second quality cans.

Q. Is it invariably a fact that the larger the lobster the smaller number it takes to fill a pound can?—A. Well, I don't know, I don't think so. If you take some of these big lobsters I can't say but what they are pretty full, but I think with a medium sized lobster you will do better than with a big one.

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Q. What would you call a big one?—A. A lobster from 10 to 12 inches in size.

Q. It has been estimated that it takes nine 7-inch lobsters, which lobsters have never been afforded an opportunity of reproduction, to fill a one pound can. If this is so, what effect must the continual fishing of these lobsters have upon the industry?—A. I think it will be ruinous.

Q. The statement has been made authoritatively that the strict enforcement of the 8-inch limit would put the lobster canners out of business. It is not so here?—A. I don't think so. I would not say so.

Q. It has also been said that a strict enforcement of the 8-inch limit, together with the assistance of hatcheries and pounds, would perpetuate the lobster industry?—A. I think it would.

Q. Would you be in favour of reducing the size limit to 7 inches, as has been suggested, or abolishing the size limit altogether and shortening the season?—A. I would not be in favour of that.

Q. Always enforcing the berried lobster regulations?—A. Certainly

Q. Could a size limit of 10½ inches be maintained here without detriment to the lobster industry?—A. No.

Q. Is it the case as stated by some one, that 30 per cent more lobsters in number are required in the fall to fill the same number of cases than would be required in the months of May and June?—A. I could not say anything about that because we have never fished here in the fall.

Q. How many pounds weight of green lobsters of each size does it take to fill a pound can and how many lobsters of each size would that represent in number?—A. It takes about six pounds of green lobsters to make a can of meat. Coming on in July it may take a little less.

Q. What would you think of the idea of requiring the fishermen to register and take out a license at a nominal fee?—A. I think we pay a license for the fishermen and that ought to be sufficient.

Q. Do you think that plan would have the effect of leading the fishermen to observe the law and report any violations they happened to notice?—A. I don't think it would have any such effect.

Q. Have the regulations for the protection of the lobster ever been observed in your district?—A. Certainly they have.

Q. What would be the effect of strictly enforcing the present regulations?—A. I think such a thing would be impossible to do. I think if the lobsters are watched closely and none of these small lobsters and spawn lobsters taken, it would benefit the fishing, it is reasonable to think so.

Q. Are the existing penalties, if strictly enforced, sufficient to deter the packers from violating the regulations?—A. I think so.

Q. In the event of persistent violation of the regulations by a canner would the preservation of the lobster industry demand the cancellation of his license to can?—A. I think so.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further licenses, in your opinion, be discontinued?—A. Yes, I think there are plenty of factories now for all the lobsters there are.

Q. In the interest of the lobster industry would you favour a general closing down for some years?—A. No, I would not.

Q. The conditions have not reached that extreme here yet?—A. No.

The Lobster Commission of 1898 recommended that temporary reserves should be established in various sections along the coast—that is that we should stop fishing in certain districts for a year or two but continue it in others and change them all round in that way?—A. I don't think that would work.

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Q. During what period of the open season is lobster fishing most actively prosecuted here?—A. In the month of May. We get more lobsters in May than at any other time in the season.

Q. Is the present regulation requiring you to stop fishing on July 10 satisfactory?—A. I would say so.

Q. Do you think that a reduction in the length of the open season would be of advantage, that it would lead to an increase in the supply of lobsters and perpetuate the fishery?—A. I don't think it.

Q. What in your opinion would be the ultimate effect of a shorter open season with no restriction as to size limit?—A. I think it would clean the lobsters out in no time.

Q. It has been asked that fall fishing be allowed in some districts owing to the delay in commencing fishing in the spring caused by ice remaining on the coast?—A. I think one season is quite sufficient, at least so far as this coast is concerned. The weather is so rough in the fall the gear would be all lost and there would be nothing made out of it.

Q. Is the present regulation restricting the number of canning licenses satisfactory?—A. I think that is a good idea. I think there are quite enough in the canning business now.

Q. Would you favour issuing a license to any man competent to can?—A. I don't think that would work.

Q. Would it be possible or right to establish a standard of fitness for a license to can?—A. Well, I think if they issue more licenses they ought to have a standard for those who want to pack. But I think there are licenses enough at the present time.

Q. Should the product of the canneries be subject to inspection? Would you object to have your work inspected?—A. No, sir.

Q. In your opinion should the pack generally be inspected in the interest of the consumer?—A. I would say probably that would be all right. There is one thing certain, the cleaner you can keep a thing the better.

Q. Do you think that the inspection of canned lobsters could be made by the existing staff?—A. I think it could. There would be no need of anybody else.

Q. Would you refuse a canning license to an alien?—A. Why not give them just the same chance as anybody else as long as they are paying their license and taxes and employing all their labour here. They don't import anybody, not into this factory. It is all Canadian labour that runs this factory. The only foreign thing is the money.

Q. Could not the fishermen make more money if they were allowed to can?—A. No, sir.

Q. Have they ever tried the experiment here?—A. There has been one or two tried it, but it has always proved a failure.

Q. What price was paid for lobsters in this district this year?—A. \$2.35 a hundred weight out of the boats for green lobsters. That is what we paid this year.

Q. What was it last year?—A. The same price. The year before it was \$2.25. Lobsters are down on the market but we have kept the same price, we have given the fishermen the benefit of it.

Q. How does the price to-day compare with the price paid when you began packing?—A. There is a big difference. We used to pay 35 cents a hundred pounds and to-day the price is \$2.35. At those times the prices on the market were lower. Canned lobsters were down to \$4.50 and \$5 a case. To-day it is different; one thing has gone with the other.

Q. Are you aware of any complaints made by the fishermen that the price paid for lobsters by the canners is not satisfactory?—A. All our fishermen are satisfied. They are here and can speak for themselves. Naturally they look to get as much as they can but I think they are getting good money.

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Q. How is the price established, is it a matter of agreement between you and the fishermen?—A. Certainly it is. They asked me what the price was going to be in the spring. I told them \$2.35.

Q. If they like to fish for \$2.35 they can; if not they can go somewhere else?—A. Yes, but they are always satisfied.

Q. Do you know what the other canners are paying?—A. I don't know. I did not bother with any of the rest of them. I put my price in the spring and let them run on that. If anybody comes along and tries to pay more it is natural we have to pay as much, but we mostly pay as good as anybody.

Q. Then there is competition in the matter?—A. Yes.

Q. There is no attempt on the part of the canners to combine in order to keep the price down?—A. Not with us.

Q. Is it the case that fishermen have ever lost their catch of lobsters by the canners refusing to accept them?—A. Not here. Sometimes in a storm if we are collecting lobsters and cannot get there the fishermen may lose a few that way, but that is owing to bad weather. We make a point of getting there generally.

Q. Would you approve of the establishment of lobster hatcheries?—A. I think so. I think it would be an improvement to the fishing.

Q. And result in saving the berried lobsters?—A. Certainly. If there was some place where the berried lobsters could be taken, the fishermen would be more careful and would fetch them ashore.

Q. Have you anything to say in regard to the establishment of pounds?—A. I have had no experience of pounds. We have not got anything of that sort here.

Q. Do you know whether the trap in use is the best trap for the purpose? Do you think that the escape of small lobsters would be facilitated if more space was allowed between the slats?—A. I don't think that would make any difference at all. We have tried mostly all kinds of traps and we find the one we are using at the present time is the most suitable.

Q. Is that what is called the parlour trap?—A. No, we do not use the parlour trap, just the plain trap with a head in each end.

Q. What is the size of your head?—A. It is about 4½ to 5 inches.

Q. And how far apart do you allow the openings in the slats?—A. About an inch and a half, that is about the width of a lath. We use one lath to gauge the width of the others.

Q. Is there anything else that you would like to say?—A. Nothing only regarding this hatchery. I would like to see it put in the right place to give it a good fair chance.

Q. Where do you think the hatchery should be placed?—A. I think it should be put here at the point, inside the southwest point, which is the nicest place on the whole coast to put it. The water is always nice and clear no matter what kind of a storm there may be. This is the right and proper place for it.

Q. Have your fishermen ever compelled you to accept undersized and berried lobsters?—A. No, they have never insisted on anything of that kind.

Witness discharged.

THOMAS MACKENZIE, fisherman, Port Daniel, called and sworn:—

By the Commissioner:

Q. In what district do you pursue your fishing?—A. In Port Daniel bay.

Q. Have you always fished in this place?—A. Always in this place.

Q. How many people are engaged in the lobster fishery in this neighbourhood, roughly speaking?—A. About 30, I suppose. There are generally only one man to a boat here. In the case of Mr. Sullivan's men two fish to a boat.

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Q. Have you always fished for this hatchery?—A. Not always. I fished a few years ago for Mr. Foran in Shigawake.

Q. Is the annual catch of lobsters decreasing or otherwise; are you getting fewer lobsters than when you begin?—A. Yes, sir; fewer lobsters.

Q. Are you keeping up the catch by using a larger amount of gear or fishing harder than you used to do?—A. You have got to use more gear.

Q. To catch the same amount of lobsters?—A. To catch the same amount of lobsters.

Q. Has the number of traps increased in your neighbourhood since you began fishing?—A. No, I would not say that they have. There are fewer fishermen now than there formerly were when the lobsters were plentiful.

Q. There are not so many fishermen?—A. Not so many fishermen.

Q. Why have they gone out of the business?—A. Some have gone to farm and some have left the country.

Q. But the number of traps has increased since you first began fishing, has it not?—A. Well, I suppose there are more factories now and they are fishing a larger number of traps.

Q. Is it your opinion that the supply of lobsters has been kept up by taking a smaller size than you used to take when you started to fish?—A. Well, partly that. The lobsters are not so big as they formerly were, and, of course, to keep the supply up you have got to take smaller ones.

Q. Do you own your own boat and gear?—A. Yes, sir.

Q. It has been suggested that for the better control of the fishery the fishermen should be required to register and take out a license at a small fee; what do you think of that?—A. I don't see that that would make any difference.

Q. You do not see that there is anything to be gained by adopting that plan?—A. I don't see that there is anything to be gained by that.

Q. Do you think that by giving a license constituting these men lobster fishermen for the season they would be more likely to observe the law and report any violations they happened to see?—A. Oh, no. I think every man fishes his own gear and tries to do all he can. If the fishermen were licensed I believe they would take everything they could to make up for the license fee.

Q. How does the price now paid for lobsters compare with that paid when you first began fishing?—A. The price is higher now. Men can make more money now than they could when I began.

Q. Though lobsters were more plentiful then?—A. More plentiful.

Q. Speaking from your observation as a fisherman, what do you think are the spawning months of the lobster?—A. When we first began here we used to fish throughout the whole season until the fall and storms compelled us to stop, and I never noticed that there was more spawn lobsters later in the season than there was at the first fishing in the spring. We begin about May generally. The 1st of May to the 10th was the time when we got out our gear, and I never noticed that there were any more later in the season than there would be in the spring.

Q. Do you think there is any particular month when you find more berried lobsters, or lobsters with riper eggs, than at any other time?—A. Yes, in the summer season, about July the eggs will be riper, but I never noticed there were more berried lobsters than at any other time.

Q. You find them all through the season carrying berries?—A. Yes.

Q. But you think the eggs are riper in July and August?—A. July and August, yes.

Q. Do you think the lobsters come inshore for the purpose of spawning, or what brings them in?—A. I think it is to feed.

Q. Is there any time of the year when lobsters are not fit for food?—A. Well, I should say not except when the lobsters lose their shell.

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Q. Do you think they all lose their shell?—A. I think they do up to a certain age.

Q. And after that age?—A. I don't think so.

Q. At what size do you consider a lobster fully matured?—A. I would say about 10 inches.

Q. Have you not seen smaller lobsters than 10 inches with berries on them?—A. Yes, I have seen them probably down to 8 or 9 inches.

Q. But not many below that?—A. Oh, no, sir, none below that.

Q. What would be the average size of the berried lobsters that you see?—A. About 12 inches.

Q. Of your total catch what proportion would there be of female lobsters bearing eggs?—A. There are not more than 9 or 10 per cent.

Q. There are no berried lobsters exported from here?—A. No.

Q. What do you think of the idea of requiring the canner to pay an increased fee, instead of the 2 cents a case as at present, and in that way raising a fund for the purchase of the seed lobsters from the fishermen?—A. I don't think it would make any difference.

Q. Is the existing regulation for the protection of the berried lobster observed; what is the practice here in that regard?—A. I believe the regulation is observed as near as can be done. The packers won't receive the berried lobsters if they see them.

Q. It is your practice to throw them overboard when you get them?—A. Yes, sir, to throw them out.

Q. Is the practice followed here by the fishermen of stripping the eggs off the lobster by striking the fish on the water or brushing the eggs off with their mitt?—A. I have seen it done, but not of late years. When that law was first passed I seen some fishermen do that, but not many. I have never seen it but the once.

Q. What disposition do the fishermen make of the berried lobsters they find in their traps?—A. They simply throw them out as they take them out of the trap.

Q. Do the canners make any objection to receiving berried lobsters?—A. Yes, I have seen canners refuse to receive them and heard them tell the fishermen to put them into the water again.

Q. If the canners refused absolutely to take berried lobsters would it not have the effect of inducing the fishermen to return them to the water?—A. Yes, sir, it would.

Q. Do you think it would be possible to get the fishermen to return to the water all the berried lobsters they take, could you trust them to do it?—A. I would not say you could trust all the fishermen, but there are a great many that understand it is to their interest to return the berried lobsters to the water and they do so. Then, again, if the packers won't receive the berried lobsters, of course, they have got to put them out.

Q. What would you think of the government buying from the fishermen, at a slight advance on the canners' price, all the berried lobsters in the traps, those lobsters to be liberated at once or placed in pounds until the close of the season; what would you think of that?—A. Oh, I don't think it would amount to anything.

Q. The suggestion has also been made that the department should buy the berried lobsters and place the eggs in a hatchery to be hatched out?—A. That would be a good idea; I would favour that.

Q. Are you aware of any fishermen having lost their catch of lobsters by the canners refusing to take them?—A. No, sir, not now. They have been refused owing to the fishermen fishing more lobsters than the canners could pack, but it is not so now. That was in the early days.

Q. What would you think of the idea of establishing temporary reserves at various points along the coast for the breeding of lobsters wherein fishing should not be allowed for a certain length of time?—A. I don't know that that would be of any advantage.

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Q. Do you think that the present regulation restricting the number of canning licenses is satisfactory to the fishermen?—A. Yes, I believe it is satisfactory the way that the canning is done.

Q. Are you in favour then of limiting the issuing of licenses to can lobsters?—A. I think that any one that could pack and wanted to pack should get a license; one man should be as free as another.

Q. But there are lots of men who might go into the canning business not knowing anything about it, and would put up a poor product; how would you regulate that?—A. By inspection.

Q. You would determine the fitness of an applicant for a license to put up lobsters by inspection?—A. Yes.

Q. What market would the fishermen in your district have for the lobsters if the canneries were closed?—A. We would have no market.

Q. If the present size limit were strictly enforced what effect would it have upon the canneries here, would it cause them to shut down?—A. It would not cause the factories to shut down here.

Q. Are the existing penalties, if strictly enforced, sufficient to deter the packers from violating the lobster regulations?—A. Yes.

Q. Would you cancel the license of a packer who persistently violated the regulations?—A. Yes.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. Yes, sir, it would.

Q. Would you refuse a canning license to an alien?—A. No, because it is only their money that comes into the place. The labour is Canadian and the gear is of Canadian manufacture.

Q. What branch of the lobster industry do you think is the most remunerative to the fishermen and the best calculated to maintain the supply unimpaired, the canning or the live lobster trade?—A. I have had no experience with the live lobster trade.

Q. There are no facilities here for exporting live lobsters?—A. No.

Q. Who fixes the price paid for lobsters, how is it fixed?—A. It is fixed between the fishermen and the packers.

Q. Are you aware of any complaints made by fishermen that the price paid them by the canners is not satisfactory?—A. Well, they do complain sometimes, but we are getting a fairly good price.

Q. Do you think fishermen would make more money if they were allowed to can?—A. It wants experienced men that way. Of course if all the fishermen were to co-operate and hire a canner I believe they would make more money out of it.

Q. But they would also have to face more risk?—A. They would have to take all the risk themselves then.

Q. Have you had any experience as to whether the government hatcheries have helped to maintain the supply of lobsters?—A. No, sir, I have not.

Q. Are you in favour of the establishment of hatcheries?—A. Yes, sir.

Q. Do you know anything about the placing of lobsters in pounds?—A. No, sir, I do not.

Q. What proportion of the lobsters caught in your district are below 8 inches in size?—A. Not more than 6 or 7 per cent.

Q. Would you favour an increase in the size limit to 9 inches?—A. No.

Q. Would you favour any reduction in the present size limit?—A. No, because anything under 8 inches for all there is of them that get into the traps it would not make any difference.

Q. Has there been any noticeable decline in the average size of the lobsters caught in this district during the last ten years?—A. Yes, they are getting smaller.

Q. Has the great decrease in size taken place in the last ten years or previous to that?—A. Previous to that, it was before that.

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Q. When there was unlimited fishing with no restriction?—A. Unlimited fishing. Everything was taken and it has run the size down.

Q. Do you think that the decline in size has been arrested?—A. I think it is stopping.

Q. You think that it has reached a balance now and the lobsters are not getting any smaller?—A. I think it has reached a balance and the lobsters are not getting any smaller. For the last two years I find that the catch is a little on the increase, they are a bigger size.

Q. On the Pacific coast, where there are numerous salmon canneries, the experience is that they have a good run about every third year and that the intervening years are poor. Do you think that something of that kind exists in connection with the lobster fishery?—A. Yes, I believe there is.

Q. Do you believe there is a regular rotation in connection with the run of lobsters or that these good and poor seasons occur inadvertently?—A. I think it is a regular thing. You will have two or three years and then probably one poor year.

Q. That might be simply due to the fact that you had fine weather for two or three seasons and made better fishing and naturally the fishery would not be so good for a few years afterwards?—A. That will happen three or four times in nine or ten years. There will come a bad year and it looks as if it were a sort of rotation.

Q. Then the decline in size in your opinion, is the natural result of overfishing. it is not due to the growth of a smaller race of lobsters?—A. Oh, no.

Q. What do you think about having different size limits and different seasons in adjoining sections of the coast, do you think that sort of thing is apt to lead to violations of the law?—A. I think so. They should be all alike. If one stops all should stop and they should have the same size limit. I don't see why one should take a small lobster and another one not be allowed to.

Q. You think that in the original condition of the lobster fishery the lobsters would be the same size everywhere?—A. Yes.

Q. Some people claim that on certain bottoms the lobsters are of a smaller size, that where they have a sandy bottom the lobsters never were as large.—A. Well the experience around here is that the lobsters are just as large on a sandy bottom as on rock. On this sand in the harbour there were terrible large lobsters we used to get at the first fishing.

Q. Do you think it is in the interest of the future of the lobster industry that lobsters should be taken before they have reached the age of maturity?—A. No, I would not say it was.

Q. It is stated authoritatively that a strict enforcement of the 8-inch size limit, supplemented by complete protection for the berried lobster and the assistance of hatcheries and pounds, would perpetuate the lobster industry; do you think that?—A. Yes, I do.

Q. Could a size limit of 10½ inches be maintained in this district without detriment to the lobster industry?—A. No.

Q. You know what that would mean. The canneries would have to close down and the lobsters would be exported alive. You have no facilities for doing that?—A. No.

Q. What do you think of the kind of trap now in use? Would more small lobsters escape if there was a greater distance between the slats?—A. I believe they would.

Q. Do you think it would be wise to increase the width between the slats?—A. As they are now, a 7-inch lobster will go through them.

Q. Do you think that when the trap is disturbed the lobster tries to escape?—A. Yes. You take the old-time trap and after a storm you don't find any lobsters when you go out. You take the parlour trap and put it out there and the lobster that gets into it before the storm is there after the storm is over; he is there to stay.

Q. That was the object of the parlour trap—to retain all the lobsters that entered?—A. That was the object of the parlour trap.

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Q. But the parlour trap is not used generally on this coast?—A. No, sir.

Q. Is it your opinion that a larger percentage of lobsters will be required to fill a pound can in the fall than in the months of May and June?—A. No, I would not say it would.

Q. In the early years you used to fish throughout the season?—A. Throughout the season.

Q. How did you find the lobsters in the fall?—A. Just as good as they are in the spring. But during the soft shell period the lobsters get poor then. According as the season advances they improve, the same as they do from the spring till July.

Q. Is the statement true that the size limit has never been recognized in this district; do you think there has been any attempt to comply with the law or to enforce the law here?—A. Yes, sir, there has.

Q. What disposition is made of lobsters taken below the size limit?—A. They simply throw them overboard as they take them out of the traps. I have seen men measuring them as they took them out.

Q. Do they have a mark on the boat?—A. They have a mark and measure the lobsters and throw the undersized ones out.

Q. Do you think that lobster fishing should be kept farther off shore; do you think you get smaller lobsters inshore than you do away off?—A. No. In the first of the season we get the lobsters outside and then they move in and we get them as big inside as we do out.

Q. You start the fishing out in deep water and then follow the lobsters with your traps as they move in?—A. Follow them in with the traps.

Q. During what portion of the season is the fishery most actively prosecuted?—A. The month of May. The height of the fishing is in May.

Q. Do you think a reduction in the length of the open season would be an advantage?—A. I don't think so.

Q. Some people have suggested cutting off July altogether, would that make much difference to you?—A. There are not many caught in July anyway, so it would not make much difference. Of course the fewer that are caught the more we expect to catch next year.

Q. You do not think it is possible to maintain the close season for the whole of the breeding period of the lobster?—A. I don't think it is.

Q. It has been asked that fall fishing be allowed in some districts where in spring they do not commence to fish early owing to the ice remaining off the coast?—A. I do not favour fall fishing.

Q. You would have one season and make no change?—A. No change.

Q. Are any live lobsters shipped from this district to the market?—A. No.

Q. Are the existing facilities adequate for the profitable handling of live lobsters?—A. They have not been.

Q. What do you think is required to make it profitable to ship live lobsters profitably?—A. Well, I suppose we would have to have vessels with tanks and rapid transit.

Q. It has been said that in a few years the live lobster trade will do away with canning altogether; does that apply here?—A. No, sir, that applies down in Nova Scotia.

Q. Have you any further suggestion to make?—A. No, sir, nothing that I can think of.

Witness discharged.

Commission adjourned.

PORT DANIEL WEST, July 21, 1909.

J. E. ALEXANDER, packer, Port Daniel West, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. Since 1891.

Q. How many canneries do you control?—A. Three.

Q. Where are they situated?—A. One in Shigawake, one in Port Daniel and one in L'Anse à la Barbe, Bonaventure county.

Q. What other canneries are licensed in your immediate neighbourhood?—A. There are the Hoeggs at Port Daniel, Mr. Foran above me, and Mr. Chatterton packs for me in Hopetown.

Q. Speaking of the cannery in this neighbourhood, what is its capacity?—A. We could pack 1,000 cases if we had the lobsters.

Q. How many boats do you employ?—A. We buy the lobsters from the fishermen.

Q. You have nothing to do with the boats and gear yourself?—A. No, sir.

Q. You buy the lobsters from whoever offers?—A. Yes, we supply the fishermen with what they want in the spring and whoever has lobsters is supposed to fish during the season with us.

Q. What number of hands have you engaged afloat and ashore?—A. About 12 boats fishing for us, single. In the cannery we employ about 10.

Q. Is your annual pack decreasing or otherwise?—A. It has decreased since the time I began.

Q. What is the largest number of cases you ever packed in any season?—A. Between 500 and 600.

Q. What did you pack this year?—A. At L'Anse à la Barbe I did not run this year. In Shigawake we have not put them all up yet. When I was speaking of 500 or 600 cases it was for all the canneries. I do not remember just what number we put up here at any one time. This year we did not put up 100. We have had more traps out before than we had this year; we did not fish as many traps this year.

Q. Has it been difficult to get fishermen?—A. To a certain extent; quite a number are not fishing to-day that used to fish.

Q. I suppose the railway and other works under construction have taken the men away?—A. The men are going in more for farming.

Q. There is not so much fishing done as there used to be?—A. There is not as much.

Q. Did you ever fish more traps than you are fishing now?—A. We had a good many more traps than we have to-day.

Q. Is it your opinion that the supply of lobsters is being kept up by packing lobsters that formerly were rejected as well as by using an increased amount of gear?—A. I think they are taking a little closer in size than they were at the first go off.

Q. From your observation as a canner what do you consider the spawning months of the lobsters to be?—A. We see spawn from the first.

Q. All through the season?—A. Yes, sir.

Q. Do you think there are a larger number showing spawn at a particular time of the season?—A. I think there are a little more at the latter end of the season. About July I think there are a little more then.

Q. Do you believe that the lobsters approach the shore for the purpose of spawning or what brings them in?—A. It is very hard to tell, but it looks as though they

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came in because the water was warmer. We get both kinds at the latter end of the season and we don't get any kind outside.

Q. They all come in?—A. They all come in.

Q. Do you think lobster fishing should be maintained farther off shore, and would this enable the schools of immature lobsters which come inshore to be better protected?—A. It does not make any difference, I think, here.

Q. From your observation can you tell whether the lobster spawns every year or twice a year or every two years?—A. I could not say. It looks as though they do not spawn every year because we find some females without the sign of spawn throughout the season.

Q. What is the smallest size at which you have known a female lobster to carry eggs?—A. I have never observed that close enough to say.

Q. At what size would you consider the lobster to be fully matured, can you give us an opinion?—A. No.

Q. Is there any part of the season when lobsters are not fit for food?—A. Not that I know of.

Q. Not even when casting their shell?—A. I have never seen them casting their shell.

Q. Could you give me any idea of the average size of the berried lobsters taken in your district?—A. No, sir, I could not say.

Q. You could not state the percentage of lobsters taken in the traps that bear eggs?—A. No, sir.

Q. Is the practice of stripping or washing off the eggs from the female followed by the fishermen here?—A. I don't know.

Q. Do you think it would be possible to get the fishermen to return to the water all the berried lobsters taken in their traps?—A. I always tell them to do it.

Q. If the canners refuse to accept these berried lobsters would it not have the effect of inducing the fishermen to return them to the water?—A. I think it would.

Q. Do the canners make any scruple about accepting the berried lobsters?—A. I could not say. I know I always told the fishermen not to bring them in.

Q. I suppose they do occasionally bring them in?—A. There is an odd one you will find after they are cooked but not many.

Q. Do you think that the regulation with regard to berried lobsters is being more carefully observed than it used to be; are the fishermen beginning to realize that it is unwise to destroy the egg bearing lobster?—A. I could not say as to that. I know there are some fishermen who have said they don't want to bring them in.

Q. Has it been your practice to make any examination of the lobsters when they are brought in?—A. There are a lot of them under size. If we do not take the undersized lobsters we might as well shut up at once.

Q. If the canner absolutely refused to accept them from the fisherman he would have to shut up?—A. That is refuse to accept the undersized lobsters. The spawn lobsters I always told the boys that are weighing them not to bring them in. There are a certain few that come in but my orders are not to bring in any spawn lobsters.

Q. You say your instructions are when weighing the lobsters to reject or return those with berries?—A. Yes.

Q. These suggestions have been made in the interest of protecting the berried lobsters. To buy from the fishermen all the seed lobsters taken in their traps at a slight advance on the price by the canners and then to either liberate them at once or place them in pounds until the end of the season. What is your opinion of these suggestions and which would you think the most effective?—A. It is pretty hard to say. Of course if they could be placed in pounds where they could not get out and held until the berries would come off it would be all right. If let go the fishermen might keep bringing them in.

Q. They would be caught in the traps and paid for over and over again?—A. They might.

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Q. What would you think of the proposition requiring canners to pay an increased fee, instead of the 2 cents a case now charged, and in that way realize a fund for the purchase of the seed lobsters from the fishermen?—A. I would not care for that at all.

Q. You would prefer that somebody else should pay?—A. Yes, I think that \$2 a hundred is enough for the license.

Q. What is the size limit in your division?—A. Eight inches I think.

Q. And what is the season during which you may fish?—A. From the 20th April to 10th July.

Q. Could you tell me what proportion of the lobsters taken in the traps is below the legal size limit?—A. I could not say. The inspector, Mr. Veit, came along one day and he measured them, but I never measured them myself.

Q. And you would not care to say what the proportion is?—A. I could not say. I never asked Mr. Veit what they were when he measured mine here.

Q. You have never remarked the proportion in the cannery for yourself?—A. I never measured them, sir, I could not begin to say.

Q. If the present size limit were strictly enforced what effect would it have upon the canner?—A. As I was saying I think we would mostly close up. The fishermen would not think they got enough to pay for their time fishing.

Q. Then you do take the undersized lobsters?—A. Yes, sir.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. It would have that tendency. The more traps that were set the more lobsters would be caught.

Q. It is stated in certain districts that no lobster canner could continue packing and observe the law regarding the size limit?—A. I think that is right.

Q. You would say then that the percentage of undersized lobsters is pretty large?—A. In some cases. There are some days when there are not many and there are other days when there are a lot of them.

Q. An 8-inch lobster is not a very large lobster?—A. It is not very large.

Q. If the law were strictly enforced would it handicap you very much?—A. Of course I never measured them to know just exactly, but that is my opinion of it. I might be wrong, but I am under that idea.

Q. Would you favour an increase or decrease in the present size limit?—A. Of course I do not think there is so much in the size of the lobster as there is in the spawn lobster.

Q. You do not believe in taking the spawn lobsters?—A. No.

Q. You do not think it is as serious to take small lobsters?—A. No.

Q. Has there been any noticeable decline in the size of the lobsters caught in your neighbourhood within the last ten or the last thirty years?—A. There has been a decline in the size.

Q. The lobsters do not run as large as they originally did?—A. No, the lobster is not quite so large.

Q. Do you think that the decrease is still continuing?—A. I hardly know. The run last year appeared to be as good as the last few years I think.

Q. You made a better pack this year than you did last year did you not?—A. A little better.

Q. When was lobster canning first introduced into this neighbourhood, how long is it since you first began to pack here?—A. It must be thirty years.

Q. To what cause do you attribute the decline in the size of the lobster?—A. I think it is the extra amount that is being caught.

Q. It is the result of overfishing you think?—A. I think so.

Q. Do you think that different size limits and different seasons in different sections are unsatisfactory and apt to encourage violations of the law?—A. I would not think so. Our factory here we generally close up about the middle of June. Take it

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up in Hopetown the fishing is as good in the latter end as it is in the beginning. Even if there was a longer close season it would not affect us here. We generally close up as soon as the lobsters get too scarce.

Q. Is there any reason for having a smaller size limit in this district than in other districts?—A. I don't know as to that.

Q. When lobster fishing first commenced do you not think that the lobsters all over the coast were pretty much of the same size?—A. I should think the lobsters ought to travel up and down the shore.

Q. Is it in the interest of the future of the lobster fishery that lobsters should be taken before they have reached the age at which reproduction takes place?—A. You see we are packing the female lobsters all the time, I suppose there are as many females right along in the pack big and small.

Q. Do you not think it must seriously affect the permanence of the fishery if we continue to take immature lobsters before they have reached the size at which they can reproduce themselves?—A. I suppose if it were done too much it might.

Q. What disposition is made of the lobsters taken below the size limit?—A. Well, if they are too small we put them in the water again.

Q. What would you call 'too small'?—A. Something between 7 and 8 inches. Anything smaller than 7 inches would be rejected; in fact I would rather think they would all be put back up to 8 inches. We don't want those small ones.

Q. Is it invariably a fact that the larger the lobster the smaller number it takes to fill a pound can?—A. Yes.

Q. Some people have claimed that there is a medium run of lobsters that are the most profitable to pack; that the larger lobsters are not almost completely filled?—A. In the early part of the season they are not; they are thinner.

Q. It has been estimated that it takes nine 7-inch lobsters, which have not reached the age of reproduction, to fill a one-pound can. What effect is the continued fishing of these immature lobsters going to have upon the future of the lobster industry?—A. I don't know how many small lobsters it takes to fill a pound can; I never took count.

Q. The statement has been made authoritatively that a strict enforcement of the eight-inch limit together with the assistance of hatcheries and pounds would perpetuate the lobster industry; do you concur in that?—A. Of course it is a very hard question to know what it would be in the future.

Q. Would you favour reducing the size limit to 7 inches?—A. I would just as soon keep it at 8.

Q. Would you favour abolishing the size limit altogether and in return shorten the season and more strictly enforce the berried lobster regulation?—A. How much do you suppose they would want to shorten it?

Q. That is a matter for consideration. Take your own case, you say you never pack up to the close of the season and I suppose the other cannery do the same thing?—A. Take it in Hopetown. The fishing is good towards the latter end and the first of the season is not so good. I think it would be a good idea to shorten the season some, abolish the limit and be stricter on the berried lobster.

Q. Could a size limit of 10½ inches be maintained here without detriment to the lobster industry?—A. No.

Q. Is it the case, as stated by some, that at least 30 per cent more lobsters in number are required in the fall than in the months of May and June to fill a pound can?—A. It would not take so many. The farther on they go in our season the less number it takes.

A. Are the cannery compelled to accept undersized and berried lobsters for fear of losing their fishermen who would, in case of refusal, to accept illegal lobsters, go to other cannery less scrupulous?—A. Yes, sir.

Q. If you did not take them somebody else would; that is your belief?—A. Yes, sir.

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Q. Can you tell me how many pounds weight of green lobsters to each size it takes to fill a pound can?—A. No, sir, I have never gone into that.

Q. It has been suggested that for the better control of the lobster fishery the fishermen should be required to register and take out a license at a nominal fee; what would you think of that?—A. I don't think there is anything in that.

Q. Do you think it would have the effect of leading the fishermen to observe the law more strictly and report such violations as they happened to notice?—A. No, sir.

Q. If strictly enforced, are the existing penalties sufficient to deter packers from violating the regulations?—A. I think so.

Q. In the event of persistent violation of the regulations by a canner would the preservation of the lobster industry demand the cancellation of that man's license?—A. I don't know. I think all hands are taking in the same.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry, and should the issuance of further licenses be discouraged?—A. I think there are too many at it now.

Q. Under the present regulations, new licenses are not being granted, and failure on the part of a canner to operate his factory renders him liable to forfeiture of his license if he intends to resume canning; do you think that regulation is a good one?—A. Yes, sir.

Q. In the interest of the lobster industry would you favour a general closing down for some years?—A. If it could be done in all our waters here it would be all right. But if they closed us down here and allowed them to fish at Miscou, or on the other side, I don't think it would be a benefit.

Q. Would you approve of the creation of temporary reserves, to be moved from place to place along the shore in succession, in which lobster fishing should be prohibited?—A. I would not approve of that.

Q. If you had to close down you would like to have it general?—A. Yes. I think the lobsters follow the bait from one place to the other.

Q. During what period of the season is the lobster fishing most actively prosecuted here?—A. In the month of May.

Q. Is the present regulation regarding the close season satisfactory?—A. Yes, sir.

Q. What change in the regulation would you suggest and why would you advise it?—A. The way it is, as soon as the lobsters get too scarce, we shut up anyway before the close of the season.

Q. At what date have you generally closed down?—A. I could not say. This year we did not fish after the 21st June. I think the factory closed a short time before that. I had to take the lobsters up to Shigawake. It was to oblige the fishermen that I took them; they were not worth packing here.

Q. What in your opinion would be the ultimate effect of a shorter open season, with no restrictions as to size limit?—A. There would be more of the spawn lobsters saved that way, that is if they were taking them.

Q. It has been asked that fall fishing be allowed in some districts where they are not able to commence early in the spring owing to the ice remaining on the coast?—A. I would not advise any fall fishing.

Q. Is the present regulation restricting the number of canning licenses satisfactory?—A. Yes, sir.

Q. Are you in favour of limiting the issuance of licenses to pack?—A. Of course it is this way: You take a man who has his money in the fishing industry, it is not easy for him to turn round and make any use of it when he is only getting a bare living out of it.

Q. Would you grant a license to pack to any one who applied for it?—A. I would not think of it unless there was another man had more than he should have. Where the ground is already well occupied, I don't think there should be another factory,

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but where there is a long strip of country not in occupation it would be all right. Of course, there are some places where the canneries are thick.

Q. Do you think it would be possible or right to establish a standard of fitness for a license to can?—A. I don't know about that, what do you mean?

Q. Supposing we had decided to give a license to every man that applied, we would still need to have a provision that the cannery must be up to a certain standard of equipment or capacity; it would not do for lobsters to be put up in any kind of a shack?—A. I think that would be only right.

Q. Would you have any objection to the product of your canneries being inspected?—A. No, sir, not at all.

Q. Do you think this inspection could be made by the existing staff?—A. I think so. I think, for example, Mr. Veit, of Gaspé basin, could inspect each factory as he went along.

Q. Would you refuse a canning license to an alien?—A. No, not if it was not running against some other man in the place. I think the people of the place should have the preference.

Q. Do you think the fishermen would make more money if they were allowed to can?—A. No, they would not.

Q. What do you think of the policy of encouraging the fishermen to co-operate in canning?—A. It may be all right. I have never thought anything about the subject. However, it has never arisen here.

Q. There are no co-operative canneries in this district?—A. No.

Q. What price is paid for lobsters?—A. \$2.35.

Q. And how is that price established?—A. There is no combine, but I generally tell my fishermen in the spring I will pay whatever the rest pay.

Q. You say there is no combination on the part of the canners to keep down the price?—A. No.

Q. How does that price compare with the price paid originally when you began to can?—A. I paid 50 cents a hundred when I commenced.

Q. Of course, your lobsters bring a great deal more now than they did then?—A. They bring a little more, yes.

Q. Are you aware of any complaints made by the fishermen that the price paid by the canners is not satisfactory?—A. No, sir.

Q. I suppose they think they ought to get a little more?—A. They would not make any objection on that score, I suppose. However, there is no big kick, so far as I know.

Q. Do you know of any instance where a fisherman has lost his catch of lobsters through the canner refusing to accept them?—A. No, sir.

Q. Have the canners reduced the price here by reason of abnormal market conditions, or for other causes?—A. We have made no change here, although I have heard it said that in other places they have done so.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of the canners to operate their factories, although a sufficient supply of lobsters was available; has any such instance come under your notice?—A. No, sir.

Q. It has been asserted that if the catch of lobsters was further lessened or curtailed, the canners would have to shut down; what is your opinion on that point?—A. If we got less lobsters we would have to shut down; if they went much less.

Q. What market would the fishermen in this district have for their lobsters if the canneries were closed?—A. There is no other market.

Q. There is no export trade in live lobsters here?—A. No, sir.

Q. Are any live lobsters being shipped from your neighbourhood?—A. Not that I know of.

Q. Should the shipment of live lobsters be favoured in preference to the canning trade?—A. I don't see why.

SESSIONAL PAPER No. 22a

Q. Are the present facilities adequate for the profitable handling of the live lobster trade?—A. You would have to have refrigerator cars and fast trains. There are no facilities of that kind here.

Q. From your experience, can you say whether hatcheries would help to maintain the supply of lobsters or not?—A. I cannot say, I have had no experience.

Q. Have you had any experience of pounds?—A. No, sir.

Q. Are there any places here where tidal pounds could be established?—A. I would not think so on this coast because the storms would wash them all away.

Q. Could you suggest any alteration in the construction of the trap which would permit the escape of immature lobsters? It has been suggested that the slats could be kept farther apart?—A. If they were kept farther apart the small ones could get out, I think.

Q. The creation of a Fisheries Board to advise the department in regard to the management of the fisheries in the maritime provinces has been suggested, would you approve of the idea?—A. It might be a good thing.

Q. Is there any other matter connected with this inquiry upon which you would like to express an opinion?—A. Not that I know of.

Witness discharged.

DAVID JOURNEAUX, fisherman, Port Daniel, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. I have been fishing now about 27 years.

Q. Have you always carried on your lobster fishing on this part of the coast?—A. Yes.

Q. You have no station of the Fishermen's Union here?—A. No.

Q. How many other fishermen are engaged in the lobster fishing in this immediate locality?—A. I cannot tell you.

Q. A considerable number?—A. There is quite a few, I cannot say how many.

Q. Could you give me any idea of the number of boats employed?—A. I cannot tell you that.

Q. How far off shore do you fish and in what depth of water?—A. In the spring of the year we fish in about 60 feet of water.

Q. As deep as 10 fathoms?—A. 14 fathoms sometimes.

Q. When you first put out your traps do you fish as many as later in the season?—A. I just fish the same.

Q. How many traps do you fish yourself?—A. This year I only fished 50, last year I fished more.

Q. Do you move your traps inshore as the season advances?—A. I just move them the once. I move them in from about 12 fathoms of water to about 7.

Q. How far off shore would the fishing be here; you would get about 14 fathoms without going very far?—A. It would be, I would say, about four acres off.

Q. Is the annual catch decreasing?—A. Yes.

Q. Has the catch decreased within the last 10 years?—A. Well, some years it has and more years it has not. Last year it was not as good a pack as a few years ago, and this year I find a better catch than last year.

Q. That is to say a better run of lobsters?—A. A better run of lobsters in the first part of the spring.

Q. Are the lobsters as large as when you first began to fish?—A. No.

Q. Have you to fish now an increased amount of gear to get the same weight of lobsters as you obtained when you began fishing?—A. I guess just about the same.

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Q. You think you take the same weight of lobsters now with the same amount of gear as when you began fishing?—A. Oh, no. When we began fishing we took more weight, the lobsters were larger.

Q. Then do you think it takes an increased amount of gear to get the same weight of lobsters to-day?—A. Yes, sir, I do.

Q. Than it did when you first began fishing? Has the number of traps increased considerably?—A. Well, they did three or four years ago, or eight years ago, but not within the last two or three years because the fellows don't fish, a good many of them have quit.

Q. Do you think the same diminution in the size of the lobsters is going on now that went on previous to ten years ago?—A. Well, I cannot say as to that.

Q. Do you think that the decrease is being arrested, that it is not as great as it was?—A. It is not as great as it was years ago. The fishing is better than it was last year, and next year it may be better than this spring.

Q. There is a feeling in some places that the decrease has practically stopped, that it is not going on, that the great damage was done previous to ten years ago when there was a great deal of fishing and perhaps no regulation of the fishery at all, that under the present regulations the decrease is being controlled?—A. I don't know whether it is.

Q. There is less gear here now because there are fewer canners?—A. There are less lobsters taken. There are not as many canners and not as many fishing.

Q. Is there any difference in the trap compared to what it was when you began to fish?—A. No, sir, there is a hoop on each end.

Q. And the same space between the slats?—A. Yes, sir.

Q. And the same sized hoop?—A. No, I used to make my bows four feet long and now I only make them three—the hoop bows. I don't find much difference, but you may pick up a trap with a bow a little bigger.

Q. Is it your opinion that the supply of lobsters is being kept up by taking smaller ones than you formerly took?—A. Yes, sir, I think so.

Q. Do the fishermen own the boats and gear with which they fish, or do these belong to the canner?—A. I cannot tell you about other canners, I know nothing about them. But the fishermen here own their own boats, rigging, nets and everything.

Q. It has been suggested that for the better control of the lobster fishing, the fishermen should be required to register and take out a license at a nominal fee. Do you think this would have the effect of making the fishermen more careful as to the size and sex of the lobsters they took?—A. Well I don't see that it would. When we go out to our traps and the lobsters are getting slack we bring our traps ashore, we don't care whether the factory is closed or not.

Q. When it does not pay you any longer to fish you stop?—A. Yes, sir.

Q. And is it the case generally with most of the fishermen on the coast that they are not compelled to continue lobster fishing, that there are other things to which they can turn their hands?—A. Yes, sir.

Q. How does the price paid for lobsters now compare with that paid when you first began to fish?—A. It is a big difference on the fishermen, but I guess it is as big a difference on the canner too. The first year I fished I got 35 cents a hundred weight fishing for Mr. Hoegg.

Q. But you had less trouble in getting a hundred weight of lobsters then?—A. I had less trouble in getting a hundred weight. Still I do not have as much trouble in getting my \$2.35 now as I did then.

Q. Then you consider you make more money now at the present rate than when you began?—A. Yes, comparing what the canners paid then and what they pay now.

Q. Is there any competition in the matter of price or are you forced to accept any rate that the canners offers?—A. They have all got the same price. They mostly give it to one or the other, you will get no more.

SESSIONAL PAPER No. 22a

Q. Do you think there is any arrangement among the canners to keep the price down to a certain figure?—A. I cannot say as to that, I do not think there is.

Q. You are satisfied with the price you get?—A. I am satisfied with the price, but, of course, we want all we can get out of it.

Q. What are the regulations that you are supposed to observe in this district?—A. We are supposed to take our lobsters 8 inches in size, but we take them smaller. I will tell you that before you ask me.

Q. Then as to the fishing season?—A. We fish from April 20 to July 10.

Q. What is your practice with regard to small and berried lobsters?—A. There is very few small ones that we heave away, but I have hove away spawn lobsters.

Q. Is that your general practice?—A. Yes, sir.

Q. You realize the fact that it is wrong to take the berried lobster, do you?—A. I do, and to my knowledge I just got three spawn lobsters this spring.

Q. You only got three spawn lobsters?—A. That is with eggs on them.

Q. Do you take to the factory everything that you get?—A. No, sir.

Q. You return to the water the very small ones?—A. We do, certainly. A lobster under 6 or 6½ inches is no good; it is no use for anything, it is no use for the buyer or the man that catches it.

Q. Do you expect the canner to take all the lobsters you bring to him regardless of whether they are undersized or have berries on them?—A. That is left to themselves. If they don't take them then they lose them. If they object to taking them we have to put them in the water again.

Q. You understand the necessity for the regulations that exist and realize that it is wrong to violate these regulations?—A. Yes, sir, certainly.

Q. From your observation as a fisherman, what do you think is the spawning season of the lobster?—A. Take from June 20 up to August 1, that is about the time they spawn. I think there are the most spawn lobsters then.

Q. Do you get more spawn lobsters when you move in than when you begin to fish?—A. I don't know whether you do or not. I think it was this spring, the second or third day I fished, that I got a spawn lobster outside. I got three to my knowledge this summer and two were caught outside.

Q. Is there any time of the season when the lobsters are not fit for food?—A. Not that I know of.

Q. Do you see many soft shell lobsters?—A. No, sir.

Q. I suppose you would if you fished much later in the season?—A. Yes, sir, that is the reason I think we don't see many because we quit fishing before they shell.

Q. What is the smallest size at which you have known the female lobster to carry eggs?—A. Well, I cannot tell you, they are generally the big ones.

Q. What would you say was the average size of the female lobsters that pass under your notice?—A. From 7 to 9 inches.

Q. Have you ever seen lobsters of less than 8 inches in size bearing eggs?—A. I cannot say, I have not taken notice of them.

Q. What would you think of the idea of requiring the canner to pay a larger fee and in that way raising a fund for the purchase of the seed lobsters from the fishermen?—A. I don't know. Of course I don't think it is right to take the seed lobster at all.

Q. Is the regulation for the protection of the berried lobster fairly well observed?—A. I think so.

Q. Could you suggest any change in the regulation?—A. Well, I think if it was to finish up after the factories were closed at the end of June. The weather is generally hot about July 1 and the lobsters get pretty well on the beach and I think it is to spawn.

Q. You would favour closing at the end of June?—A. Yes, sir.

Q. When do you knock off fishing yourself?—A. I never fish any later than the 15th or 20th of June.

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Q. Is the practice of stripping or washing off the eggs from the female lobsters followed by the fishermen in this locality?—A. I cannot tell you as to that.

Q. Have the canners in your neighbourhood ever objected to accepting berried or undersized lobsters?—A. I cannot tell you as to that.

Q. Have you ever been told by the canner that you should not bring in any berried or small lobsters?—A. Yes, sir, I have been told that.

Q. Is it to your knowledge that the canners makes any examination for the purpose of detecting undersized or berried lobsters?—A. Yes, sir. I heard Mr. Alexander saying here one day not to bring in any of these small lobsters.

Q. Is it possible, in view of the manner in which lobsters are delivered at the factory, to make a strict examination so as to separate the berried fish from the others?—A. I do not think so.

Q. Would there be any great difficulty in doing that?—A. I think there would be a whole lot.

Q. If the canner refused to accept berried or undersized lobsters would it not have the effect of leading the fishermen to return them to the water?—A. They would have to.

Q. Is it the practice in this district to avoid dealing with a canner who is known to be careful about undersized and berried lobsters and to go to other canners who are less scrupulous?—A. I cannot say. I never changed. I fished for Mr. Hoegg until Mr. Alexander came 17 years ago and I fished for him since.

Q. Do you think it would be possible to get the fishermen to return to the water all berried lobsters taken in their traps?—A. I think so. There would be no trouble whatever explaining the matter to them and telling them. I think there would be no trouble at all.

Q. What do you think would be the best way to get them to do that? The fishermen are not all alike?—A. I think for the canner to tell the man that brings the spawn lobsters or small lobsters that he will take no more but report him. I think it is very simple to get them to stop.

Q. Do you think it will be possible to buy from the fishermen all the berried lobsters taken in their traps and have these lobsters placed in pounds and retained until the close of the season?—A. No, sir, it would not pay. It would not pay the fishermen. It would pay them better to heave them overboard as they are doing and let them hatch themselves.

Q. Is there any period during the fishing season when berried lobsters are more numerous than at other times?—A. I have never noticed.

Q. Are you aware of any fisherman having lost his catch of lobsters through the refusal of the canner to accept them?—A. No, sir, they are generally too glad to get hold of them.

The Lobster Commission of 1898 recommended the establishment of temporary reserves at various points along the coast in which fishing should not be allowed for one or two years, the location of these reserves to be changed from time to time; what do you think of that?—A. I would be almost with them there. Of course if the lobsters are taken any smaller than they are taken they are of no use. They would have to close the factories because the fishermen would shut down. It won't pay the fishermen to put the traps out and take them as small as they are taking them.

Q. The recommendation of the Commission in question was that fishing should be closed down in certain sections of the coast for a term of years, and then go on to other sections from time to time, and in that way allow the lobsters to recuperate in the several sections.—A. I don't see that would be any use in the world because if I got out my traps here, and there are no traps out 20 miles away, the lobsters will go on the hunt for bait. Then if I get all the lobsters here I am going to make a big haul.

Q. Are the present regulations restricting the number of canning licenses satisfactory to the lobster fishermen?—A. I think so.

SESSIONAL PAPER No. 22a

Q. Would you favour issuing a license to every man competent to pack?—A. No, sir.

Q. What market would the fishermen in your district have if the canneries were closed?—A. None.

Q. If the present size limit of eight inches were strictly enforced what effect would it have upon the canneries here?—A. Well, I think if they followed up 8-inch lobsters they could go on. It would not compel the canneries here to shut down because we counted them twice this summer.

Q. Would an increase in the number of canneries result in an increased pack of small lobsters?—A. It would certainly.

Q. Would you favour the encouragement of the live lobster trade in preference to the canning industry?—A. Oh, no. There is no way of getting live lobsters shipped from here.

Q. In the interest of the fishery would you favour closing down the canneries for a number of years?—A. Yes, sir. If they closed them everywhere I would be with them.

Q. It has been alleged that in some instances fishermen have suffered injury owing to the failure of those holding canning licenses to operate their factories although a sufficient supply of lobsters was available; do you know of any such cases?—A. No, sir.

Q. Who fixes the price paid for lobsters?—A. Well, it used to be the packers and now you may say it is the fishermen as well as the packers.

Q. And the price is fixed by mutual agreement?—A. Yes, sir, because we will go to one packer and he will say: 'I will pay whatever the other fellow pays.'

Q. Then there is no combination among the canners to keep the price down?—A. No, sir, not a bit.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. No, sir, they would not.

Q. Within your experience have the canners on account of abnormal market conditions, or for any other reason, reduced the price paid for lobsters to fishermen?—A. I don't know, I don't think it.

Q. You have had no experience with regard to hatcheries?—A. No, sir.

Q. Are you in favour of establishing a hatchery in this neighbourhood?—A. I don't think it is any use because the water is too dirty after every little brush of a storm. You can go into twenty fathoms of water and it is discoloured with red mud all along the shore.

Q. Is it the same all along the coast?—A. Right along the coast.

Q. Is it the same too in Port Daniel bay?—A. The very same. I have seen it right along the coast for two miles back. After every storm it is terrible.

Q. What would you say in regard to the feasibility of placing berried lobsters in tidal pounds, with the salt water flowing in and out, for the purpose of hatching out spawn?—A. You cannot do that here.

Q. There are no suitable places here for establishing pounds?—A. No, sir.

Q. Would you favour any change in the size limit in this district?—A. No, I think it is all right the way it is.

Q. Has there been any noticeable decline in the average size of the lobsters caught in this neighbourhood in the last ten years?—A. As I said before some years the lobsters are larger than in others.

Q. The run of lobsters varies?—A. Last year at the first start they ran very small. This year there was a fine run of lobsters.

Q. Then the run is not always absolutely the same?—A. No, sir.

Q. Do you think there is any alteration in the run, do you have good years and bad years in alternation?—A. Yes, sir, I do.

Q. Would you admit the decrease in the size of the lobsters is the result of over fishing in times gone by?—A. Yes, sir, certainly.

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Q. What do you think of the system of having different size limits and different close seasons in adjoining sections of the coast?—A. Well, I don't see that it will make much difference. I think the fishing season is all right only, as I say, I would have it closed about the 1st July.

Q. But that closure should be a general one?—A. A general one.

Q. Not for one section only as compared with another?—A. No, sir.

Q. You think you would ultimately benefit by that arrangement?—A. I think so.

Q. Is there any reason why the size limit should be smaller or larger in your division than in any other division?—A. No, sir, I don't think there is any occasion for it at all.

Q. Do you think that when lobster packing first commenced in the Gulf of St. Lawrence, say about thirty years ago, lobsters were very much the same size all over?—A. I think so, and they are pretty much the same size to-day all over I think.

Q. Is it in the interest of the lobster fishery generally that lobsters should be taken before they have reached the age of maturity?—A. No, sir, they should not be.

Q. The statement has been made authoritatively that a strict enforcement of the 8-inch size limit, together with the assistance of hatcheries and pounds, would perpetuate the lobster industry?—A. I don't think the hatcheries are of any use at all except to kill what few you put into it along this coast. It is a muddy coast and I consider the hatcheries are of no benefit in the world. If the fishermen hove the lobsters into the water they would propagate quicker and better than in a hatchery.

Q. Would you alter the present trap in any way so as to allow the small lobster to escape?—A. I don't see that there is any change necessary.

Q. You have never fished hoops here?—A. No, sir, but I have trawled.

Q. You have trawled with cod heads?—A. Alongside the shore in three fathoms of water and the lobster won't let go until you bring him to the surface of the water.

Q. Is it true that a larger percentage of lobsters would be required in the fall than in the month of May and June to fill a pound can?—A. After the spring fishing I don't see any difference.

Q. Do you think that lobster fishing should be kept out farther from the shore?—A. You could not do it.

Q. During what portion of the season is the fishery most actively prosecuted here?—A. In May.

Q. With respect to changes in the season you have already suggested knocking off 10 days in July?—A. Yes, sir, I would.

Q. In your opinion would a shorter open season for fishing with no restrictions at all with regard to the size be advantageous?—A. I would say that cutting off a week and a half or 8 or 10 or 15 days would.

Q. It has been asked that fall fishing be allowed in some districts owing to the delay in commencing the fishery in the spring caused by ice remaining off the shore; what do you think of that?—A. I would not approve of it here.

Q. Is there anything else you would like to suggest?—A. Nothing except that the factories should open about the 1st of May and close about the 1st July. The great majority of the fishermen put their traps out about the 20th April, and the like of that, and some of them keep them out at Hopetown up to the 10th July, whereas they close here the 1st July. I think the factories should be all treated alike, open 1st of May and close down on the last of June or the 1st July. It is not a bit of use to close up the factories on this shore and leave them open on the other shore with just an alleyway between the two shores. As to people packing their own lobsters it requires capital and experience to do that.

Witness discharged.

Commission adjourned.

NEW BRUNSWICK.

LEMEQUE, July 22, 1909.

EUGENE L. ROBICHAUD, canner, Lemeque, called and sworn:—

By the Commissioner:

Q. How long have you been packing lobsters?—A. 32 years.

Q. Have you always packed in the same place?—A. No, I packed for about 15 years at Little Shippigan. Before that on the outside shore at St. Marys. Now I have only one cannery.

Q. Are there many canneries near you?—A. Yes, there are five within about two miles.

Q. How many boats do you employ at your cannery?—A. Seven boats, fishing two men to a boat.

Q. How many hands do you employ in the cannery?—A. About 28 altogether.

Q. What number of cases did you pack this year?—A. 271.

Q. What is the largest number of cases you ever did pack there?—A. The third year we packed 700 and some odd cases.

Q. Is the catch of lobsters getting poorer?—A. It is very hard to tell. There are so many more fishing and so many more traps.

Q. How many traps did you fish this year?—A. 1,600.

Q. How many used you to fish when you began to pack?—A. At first it was 200 to a boat and there was about 1,000 traps. The number grew every year, and there is about 1,600 now.

Q. Are the lobsters as plentiful now as when you began?—A. When we began we fished all the season until the last of August.

Q. There were no regulations?—A. No.

Q. Do the fishermen own the traps and boats or do you supply them?—A. I hire the men by the month.

Q. And you supply all the gear?—A. Yes.

Q. What month do the lobsters spawn in?—A. A good many spawn all the year, but July is the month most of them spawn in. We find some early in the spring with spawn.

Q. Do you find very many lobsters with berries on them here?—A. No, not very many.

Q. What time do you find most of the lobsters with berries on them?—A. It is the same all along, a few every catch.

Q. Do the fishermen here follow the practice of stripping or washing the eggs off the berried lobsters?—A. No.

Q. What do the fishermen do with the berried lobsters taken in the traps?—A. They take them ashore.

Q. How about the little ones?—A. They take every one.

Q. They all go to the cannery?—A. Yes, sir.

Q. The canners make no objection to taking them?—A. No.

Q. If the canners refused to take them what would happen?—A. If they refused to take them the fishermen would put them into the water again.

Q. What would be the best way to save the berried lobsters?—A. I think the best way is to return them to the water again.

Q. If the fishermen do not do that, what would you suggest should be done to save them?—A. If they don't do that we have to pack them.

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Q. Do you think it would be possible for the canner to pay a higher fee than 2 cents a case and thus raise money for the purchase of the seed lobsters from the fishermen and hold them in pounds?—A. It is hard enough to stand it as it is. If we have to pay more it would be difficult.

Q. What is the size limit in this district for lobsters?—A. There is no law here, only the season. We can pack any kind of fish we like. The fish warden never told me not to take lobsters, spawn lobsters or anything.

Q. But the law fixes the size limit at 8 inches?—A. Yes, I heard that.

Q. What proportion would you say of the lobsters that come to your factory are less than 8 inches in size?—A. Not many less than that.

Q. How many out of every 100 lobsters would be less than 8 inches in size?—A. In the spring I don't think there would be 5 in 100, but in July or the last of June there are more small lobsters.

Q. When you begin to fish in the spring do you put your traps farther out in deep water?—A. In deeper water.

Q. And it is there you get the bigger lobsters?—A. Yes, sir.

Q. And as the season advances you move your traps in?—A. Yes, nearer the shore.

Q. And it is towards the close of the season when you come into shoal water that you get the smaller lobsters?—A. When they slack outside all the big lobsters come right in to the channel and they stay there during the month, we cannot get them. The small ones come on the reef in shoal water at a fathom or a fathom and a half. That is where we fish. We don't take the big lobsters then and we don't take the female lobsters, they all keep in the channel.

Q. And you fish in the channel?—A. It is no use to put traps in the channel, we cannot take any. After the 15th July we could take them. Twelve months ago in the month of May, we put traps in the channel and after the 15th July we got big fish over a foot long. Every second or every third day I sent a boat to see those traps in the deep water. After a few days we got a few and had to bait the traps. Next day we got 800 pounds in 100 traps. I told my men not to tell anybody we got them. The next day I sent there were none. I sent three days and there were none. So I had the traps taken out. I did not try it again, I thought it was no use.

Q. What is your opinion of the present regulations?—A. I think they are all right, but I would like a longer season, because after July we could get plenty of fish. If every factory was fishing there after July they would kill the female lobsters out. Outside the harbour they do not do much harm. If we had to fish in the harbour in July we would take all the female lobsters.

Q. Is there anything else you would like to say?—A. That is all.

Witness discharged.

PHILIP LUCE, canner, Little Shippigan, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing industry?—A. Eleven years for myself.

Q. And before that?—A. I was 10 or 15 years.

Q. In charge of canneries?—A. Partly in charge and partly fishing.

Q. Where is your cannery situated?—A. Little Shippigan.

Q. And before that where were you engaged?—A. I was working for J. W. Windsor on the Mal bay shore.

Q. Are there many other canneries in the neighbourhood where you are now canning?—A. Yes, sir, there are three or four.

Q. How many boats do you employ yourself?—A. Seven.

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Q. What number of hands to a boat?—A. We employ two fishermen to each boat.

Q. What number of men women and children are employed in your cannery?—A. Some 30 people.

Q. What would you consider the capacity of your cannery, the canning capacity?—A. About 300 cases.

Q. What was your pack this year?—A. Three hundred cases.

Q. What was the largest pack you ever made in that cannery?—A. My largest pack was about 400 cases with 4 boats.

Q. How long ago was that?—A. That was seven years ago.

Q. Do you think you are obliged now to use more gear and more endeavour to keep up your pack?—A. I think so.

Q. Are you fishing now a larger number of traps than you used to fish formerly?—A. Well not to each boat.

Q. You are fishing more boats?—A. More boats.

Q. What number of traps are you fishing now?—A. About 1,700 traps.

Q. How many did you fish when you first began to can?—A. The year I fished 4 boats I had 1,100 traps.

Q. Is it your opinion that the supply of lobsters is being kept up by taking lobsters that formerly would have been rejected as well as by using an increased quantity of gear?—A. I don't think so.

Q. Do the fishermen own their own boats and gear?—A. We own all.

Q. How are the fishermen paid?—A. Monthly.

Q. They are all wages men?—A. Yes.

Q. Is that the general rule about here?—A. On our shore inside I think. Very few I think outside of that.

Q. From your observation as a canner what do you consider the spawning months of the lobster to be?—A. July.

Q. Do you find a larger number of berried lobsters in the traps during that month?—A. Yes, from about the 1st of July, I think, there is a larger number.

Q. Is it the practice here to begin fishing farther off shore in the early part of the season?—A. Yes, sir.

Q. And as the season advances you move your traps closer in?—A. Yes, sir.

Q. Do you believe that the lobsters come close to shore for the purpose of spawning?—A. Yes, sir.

Q. Do you think it would be possible to maintain the lobster fishing farther off shore?—A. I don't think so.

Q. It has been said that if the fishery could be maintained farther off shore the smaller and berried lobsters would escape, they would go inside. Could you from your observation give us any idea as to the spawning habits of the lobsters? Some people maintain that they spawn every year, others that they spawn twice a year and others again that they spawn only every second year; have you ever come to any conclusion on that point yourself?—A. I don't think they spawn every year, that is not the same lobster I mean.

Q. What is the smallest size at which you have known a female lobster to carry eggs?—A. Between 7 and 8 inches.

Q. Not below 7 inches?—A. I don't think so, not any smaller.

Q. At what size would you consider the lobster to be fully matured?—A. It depends. Some go to quite a size.

Q. I suppose you would consider a mature lobster to be one that was capable of bearing eggs?—A. Yes, sir, certainly. Some of them are quite large.

Q. Is there any part of the season when lobsters are not fit for food?—A. Yes, sir.

Q. What part of the season?—A. I mean at any time when July sets in. From that until about the first of August.

Q. All through the month of July?—A. All through the month of July. At this time of the year anyway.

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Q. Could you give us an idea of the average size of the berried lobster?—A. I think they go over 8 inches—between 8 and 9 inches to the average.

Q. Do you find many large lobsters bearing eggs?—A. Yes, sir, there is quite a few. They probably would go over 8 inches, as high as 9. I know they are quite large.

Q. What percentage would you say, of the total number of lobsters taken in your traps are egg-bearing lobsters?—A. If we had to take this season for it we would have very few berried lobsters. We have seen very few this year.

Q. What do you attribute that to?—A. Gales of wind in my opinion. They made their shelter when it was blowing and we were not fishing. I don't know if I am right but that is my opinion. They get into these bays, lagoons and coves.

Q. At what period of the season do you take most of the berried lobsters in your traps?—A. They strike us about the 20th June to the 1st July, from that on to the close of the season.

Q. Is the practice of stripping or washing off the eggs followed here by the fishermen at all?—A. Not that I know of.

Q. Do you think it would be possible to get the fishermen to undertake to return to the water all the berried lobsters they capture?—A. Yes, certainly.

Q. How would you propose to have it done?—A. The packer himself would have to carry that out by weight or by wages.

Q. That leads up to the next question: If the canner refused to accept these berried lobsters, would it not have the effect of inducing the fishermen to return them to the water?—A. Certainly, but you don't want to see them coming ashore in a boat, you want to liberate them at once.

Q. Do you think that by the time they reached the factory it would be impossible or useless to save them?—A. Some days it would be useless.

Q. When a pile of lobsters were caught in hot weather and piled on top of one another they would not survive?—A. And they are apt to die more quickly.

Q. Do the canners make any scruple about accepting the berried lobsters?—A. I don't think so.

Q. If they absolutely refused to accept the berried lobsters from the fishermen what would happen?—A. It is hard to tell what would happen. I suppose the man paid by weight would kick a lot; the wages men would not care.

Q. Has it been your practice to make any examination for the purpose of detecting the berried lobsters when delivered at the factory?—A. I have taken notice how many were generally brought ashore, if they were numerous, but made no objection to bringing them ashore.

Q. It has been suggested that one method of protecting the berried lobsters would be for the government to buy them from the fishermen at a slight advance on the price paid by the canner and then liberate them at once or place them in pounds. What is your opinion as to that?—A. Well, we have pounds, places where they could be kept, I think.

Q. That is tidal pounds where they could be kept?—A. Yes, sir, with a great deal more benefit than hatcheries would do. The lobsters make for themselves places to spawn.

Q. Is it your opinion that the lobsters go into these lagoons or interior channels for the purpose of spawning?—A. For nothing else, for no other purpose.

Q. What would you think of the proposition requiring the canners to pay an increased fee, and in that way raising a fund for the purchase of the seed lobsters from the fishermen?—A. That proposition would not suit us at all, because we pay all our men monthly wages, and I don't see that would be of any advantage.

Q. What is the size limit here?—A. Eight inches.

Q. And what is the fishing season?—A. It is from April 20 to July 10.

Q. When do you really begin fishing here?—A. Well, this year I began May 15.

Q. When do you start, one season with the other?—A. It is not very much before May 10 at any time.

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Q. As a rule, do you continue canning up to the close of the season?—A. Yes, but this year we did not do it; we had not enough lobsters.

Q. How does this season's pack compare with that of last season?—A. It was short here.

Q. What proportion of the lobsters taken in the traps do you think is below the legal size limit of 8 inches?—A. Well, in the spring of the year, say from about May until the 15th June, I don't know that we get very many under the legal size. After that we get one-half any way or may be more. One sure thing is that they are not all over the size.

Q. If the present size limit were strictly enforced what effect would it have upon the canners here?—A. It would close their establishments.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. It would have that effect.

Q. It would hurry on the end?—A. Yes.

Q. It has been stated that in certain districts no lobster canner could continue packing and observe the law with regard to size limit; that is your opinion here?—A. That is my opinion.

Q. Would you favour any increase or decrease in the present size limit?—A. You would have to come down in size.

Q. Some people have recommended reducing the size limit to 7 inches, others have advised raising it to 9 inches where it was originally?—A. I would favour putting it down to 7 inches.

Q. Do you not think that if that were done you would capture a lot of immature lobsters?—A. We would, but if you put it up to 9 inches we might as well close down. We would simply have to close down.

By Mr. Turgeon, M.P.:

Q. If you reduced the size limit to 7 inches, what effect would it have in three or four years?—A. We would be fishing what we are fishing to-day probably.

Q. You would be doing no worse you think?—A. I don't think so.

By the Commissioner:

Q. But you would be doing it under the authority of the law?—A. Yes.

By Mr. Turgeon, M.P.:

Q. But you think that if the size limit were made 7 inches instead of 8 and were strictly carried out, the law would be observed?—A. It would be carried out.

Q. Would you be inclined to do that?—A. I think that law would be carried out.

Q. And if it were carried out it would not injure the industry?—A. The canner would feel the effects for a year or two but he would get the benefit after a while. He would get the bigger lobsters later on that were thrown out under the 7-inch law.

By the Commissioner:

Q. Do you really can many under seven inches?

Mr. GEORGE WINDSOR.—Anything in sight.

The WITNESS.—That is right, anything in sight. That is about the way to put it.

By the Commissioner:

Q. Has there been any noticeable decline in the average size of the lobsters caught in your district within the last ten years?—A. No. This spring we have had very large lobsters, larger than we had at any time for ten years.

Q. With a good many people the idea is that we have reached the turning point practically. A good many fishermen maintain that during the last five years there

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has not been any reduction in the size of lobsters but that if anything the tendency is upwards again?—A. That may be possible. I know that this year was an exceptionally good one for size in the spring of the year.

Q. But as compared with your first recollection of canning the average size is very much smaller than it was then?—A. Yes, we did not get any small lobsters then, they were all big fish.

Q. When was canning first introduced here?—A. I would leave that answer to Mr. Windsor.

Q. Do you know when regulations were first enforced regarding the lobster fishery?—A. Formerly we fished until the 20th August. The only regulations strictly enforced that I remember of were the present ones.

Mr. GEORGE WINDSOR.—We had fall fishing formerly.

The COMMISSIONER.—In the early years there was no regulation at all, you fished when you pleased?

Mr. WINDSOR.—That is right. The canners closed down for a month.

The COMMISSIONER.—In August?

Mr. WINDSOR.—In July and August and fished in the fall again.

By the Commissioner:

Q. When lobster canning was first introduced were not the lobsters all along the coast about the same size?—A. I think so.

Q. To what cause do you attribute the decline in the size of the lobster?—A. To the quantity taken I suppose. Formerly the lobsters were wasted. Men used them for manure as well as anything else. It must certainly have been the amount that was taken.

Q. Then in your opinion is the present condition of the lobster fishery due to overfishing in the past or have you any other reason to offer for the decline?—A. It was due to overfishing in the past.

Q. I suppose you cannot give us any opinion about the condition of the fishery round Cape Canso and the Atlantic coast, you have had no experience down there?—A. No, sir.

Q. As far as possible would you favour a general law providing for a uniform size limit and a uniform close season?—A. The same size limit and the same close season, yes.

Q. Of course there are different conditions outside the Gulf of St. Lawrence from those that exist inside, but within the gulf do you think there is any reason why there should be different size limits and different close seasons?—A. Take the Gaspé coast and this coast the conditions are quite different.

Q. What is the difference?—A. The difference is that there you can get lobsters in four or five fathoms of water while here you could not get one after the last of May.

Q. What depth of water do you begin to fish in?—A. We go as far as five fathoms and that is five miles off shore. We are nine fathoms across the bay where you can throw a stone in lots of places. That is the way with different locations in the gulf I think.

Q. Do you think it is in the interest of the lobster fishery that lobsters should be taken before they have reached the age at which they reproduce?—A. Well, if the law is strictly enforced, that is if the regulations are carried out and the season stopped on the very day and no after fishing allowed, I don't think you can hurt the lobsters or diminish the supply.

Q. Even if you take the small lobsters?—A. Even if you take the small ones.

Q. There would still be enough to keep up the supply?—A. I think that is almost proveable.

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Q. Do you know how many lobsters of different sizes it takes to fill a pound can?—A. I have never counted them out and weighed them, but you take a 7-inch one and a 10-inch one and it makes a big difference.

Q. The statement has been made authoritatively that a strict enforcement of the 8-inch law, together with the assistance of hatcheries and pounds, would perpetuate the lobster industry; would you concur in the statement?—A. A strict enforcement? Well, I daresay it would. I have no doubt that it would, it cannot surely hurt them.

By Mr. Turgeon, M.P.:

Q. You say you could not carry on the business under those circumstances?—A. We could not carry on business but it may help the fishery.

By the Commissioner:

Q. Do you not think it would have the ultimate effect of bringing the fishery back, not perhaps to its original condition, but to a better state?—A. I suppose it would help to bring it to a better condition.

By Mr. Turgeon, M.P.:

Q. You think it would help?—A. Certainly.

Q. You would have to suffer for a year or two?—A. We would have to suffer severely.

Mr. GEORGE WINDSOR.—It would never do at all. There would be too much violation of the law.

The WITNESS.—If they kept it up.

Mr. TURGEON, M.P.—Supposing it were kept up?

Mr. WINDSOR.—But it would not be.

Mr. TURGEON, M.P.—Let us know what the witness thinks the effect would be.

By the Commissioner:

Q. Would you favour reducing the size limit to 7 inches, as has been suggested, or would you favour abolishing the size limit altogether and shortening the season to compensate for that, in each case enforcing the regulation with regard to berried lobsters?—A. It does not make very much difference——

Q. It has been suggested that the best thing we could do would be to withdraw the size limit absolutely and in return for that shorten the season?—A. It does not make very much difference after the 1st of July what they do with the season.

Q. You think we might cut off the remaining days after the 1st July?

Mr. TURGEON, M.P.—Up to the tenth?

The WITNESS.—I think so. After the 10th there is nothing for the packers.

By the Commissioner:

Q. Do you think it would be better for the lobsters?—A. It would certainly help the lobsters out.

Q. Do you think that enough lobsters would survive if that were done and that the fishery would improve?—A. After a few years it would, in my opinion.

Q. Would you put the limit at the 1st of July; is that the shortest season you can stand?—A. It is short enough as it is, but when you go to cut it, July is a month that we have not very much to get out of it.

Q. Then there is not much use in cutting off July. You see we represent the other side of the question. You speak for the canner, but we are striving to look at it from the point of view of the preservation of the lobster?—A. July is the most hurtful month.

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Q. Why is it the most hurtful?—A. One principal reason is the lobsters are hardly fit to can in different locations, and then you get more berried lobsters.

Q. You think there is no doubt about that?—A. I think there is no doubt about that.

Q. Could a size limit of 10½ inches be maintained without detriment to the lobster industry in this neighbourhood?—A. No, sir.

Q. Is it the case, as stated, that at least 30 per cent more lobsters in number are required in the fall than in the months of May and June to fill a pound can?—A. I think so, 25 or 30 per cent. It takes more lobsters.

Q. Is it the case that the canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen who would, in the event of refusal to take illegal lobsters, go to other canners less scrupulous?—A. Not in my case.

Q. Because your men are wages men?—A. Yes, sir.

Q. I have heard it stated by canners: 'I have got to take these lobsters because if I do not my neighbour will, and I will lose my fishermen.' Could you give us any idea of the number of pounds weight of green lobsters of each size that it takes to fill a pound can?—A. I cannot give you any idea of each size.

Q. Could you give us any data on that subject at all?—A. I can give it to you in pounds, but not in number of lobsters.

Q. Well, give it to us in pounds?—A. On the average, 225 pounds probably of green lobsters will make one case of pound cans, 16 ounces to the pound.

Q. It has been suggested that for the better control of the lobster fishery the fishermen should be required to register and take out a license at a nominal fee; what effect would that have?—A. That would not affect us here at all because we have wages men.

Q. I think you said you did not refuse to take berried and undersized lobsters?—A. No.

Q. Are the regulations for the protection of the lobsters ever observed in this district?—A. Not very much.

Q. What would be the effect of strictly enforcing the present regulations?—A. The effect would be the closing down of all the canneries.

Q. Are the existing penalties sufficient to deter the packers from violating the regulations if strictly enforced?—A. Yes.

Q. In the event of persistent violation of the regulations would the preservation of the lobster industry demand the cancellation of the offender's license to can?—A. He would deserve it, I think.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further licenses be discouraged?—A. Certainly we have reached a maximum, and any more should be discouraged I think.

Q. Do you think there is any reason why the department should not grant a license to any man who applies for it?—A. Speaking of our shore, from our point of view, there is no room for what there is.

By Mr. Turgeon, M.P.:

Q. But you think in some districts there might be ample distance to allow that?—A. There might be outside of this place.

Q. You have none here?—A. None here, we could throw a stone from one to the other.

By the Commissioner:

Q. Do you not think the thing pretty well regulates itself?—A. It pretty well regulates itself.

Q. Are there as many canneries in operation as there used to be?—A. My dear man there is double the number.

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Q. Are they still increasing?—A. Still increasing.

By Mr. Turgeon, M.P.:

Q. There has been no increase in the last ten years?—A. Oh, yes, there has.

Q. No new licenses have been granted?

Mr. GEORGE WINDSOR.—If they have not been granted how do these people get them?

The WITNESS.—They are coming in somewhere.

By the Commissioner:

Q. In the interest of the lobster industry would you favour a general closing down for some years? It has been suggested that there should be a closing down for a term of years?—A. Would the government come to the assistance of the canneries? They would have to come to our assistance, I guess, for the term of years they would close down because we would not be able to stand on our feet.

Q. Would you not be able to turn your attention to other branches of the fishery?—A. There is nothing here to attract our attention.

Q. During what period of the open season is lobster fishing most actively prosecuted with you?—A. In the months of May and June.

Q. The whole of June?—A. Pretty much the whole of June.

Q. Is the present regulation regarding the close season satisfactory, if not what change would you suggest?—A. I have already answered that question by saying I would favour cutting off the season at July 1.

Q. You think that a reduction in the length of the open season would be of advantage and that it would tend ultimately to increase the supply and perpetuate the fishery?—A. I think so.

Q. What in your opinion would be the effect of a shorter open season with no restriction as to size limit?—A. It would depend how short you were going to make it.

Q. The season extends you say from the 10th of May to the 10th July, how many fishing days do you average during that time?—A. I don't think we go over 35 or 40 days on an average.

Mr. GEORGE WINDSOR.—It is owing to locality here.

The WITNESS.—Taking the inside part, our side. On the outside it is different. On the gulf shore they get more.

By the Commissioner:

Q. It has been suggested that fall fishing be allowed in some districts where, owing to the ice remaining on the coast, the season begins later in the spring; what would you say to granting a fall season?—A. I have no use for that.

Q. You are in favour of limiting the issuance of licenses to pack?—A. Yes.

Q. And you would not favour giving a license to any one that made application for it?—A. No, sir.

By Mr. Turgeon, M.P.:

Q. No matter what locality?—A. Well not in our locality. There might be localities that I don't know anything about.

By the Commissioner:

Q. Would it be possible or right to establish a standard of fitness for canneries?—A. Yes, sir.

Q. How would you establish that standard?—A. That is care in packing and cleanliness you mean?

Q. Supposing the government decided to give a license to any one that applied for it, there would have to be some restriction and apparently a standard of fitness should be insisted upon; how would you fix that?—A. I don't know, I am sure.

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Q. There are some canneries where one sees a product that is not what it should be. Certainly canning of that character should be stopped in the interest of the consumer as well as of the other canneries. How would you go to work to establish the necessary qualifications?—A. You would want inspectors, I suppose to begin with, to inspect the different factories and then in the factories they should be required to use certain tables and dishes and other requirements up to the standard laid down.

Q. Do you not think that the use of the ordinary wooden table for handling the meat when it is shelled is liable to result in the packing of inferior meat?—A. Yes, in hot weather.

Q. Unless the greatest possible care is observed; how would you remedy that?—A. That could be remedied.

Q. At Anticosti Mr. Menier has erected a building which cost \$17,000 fitted with electric lights and marble slabs.—A. We would have to go to extra expense, it would be pretty hard for us to do it.

Q. Do you not think there might be an improvement in the equipment of lobster factories?—A. I think there could be an improvement.

Q. You think also that the product of canneries should be subject to some inspection?—A. I think so.

Q. Do you think this inspection could be made by the existing staff?—A. It might.

Q. It would mean an increased cost perhaps to the canner if that were not done?—A. The present officers, I don't think we have them in our locality at all.

Q. Would you refuse a canning license to aliens?—A. Yes, I would.

Q. Do you think the fishermen could make more money if allowed to can on their own hook?—A. No, sir; it would ruin some of them.

Q. What would you think of the policy of encouraging the fishermen to co-operate in canning?—A. It would be pretty hard to give an opinion on that. It might help some, I could not say. It might ruin others. I don't know whether it would be helpful to the country.

Q. Are there any fishermen canning on the co-operative plan in this district?—A. I don't know of any.

Q. What is the price paid for lobsters here? If your men are paid by wages there is no question of price involved?—A. I have one boat that is generally fishing by weight and I paid these fishermen this year \$1 per hundred pounds and found them everything. I have paid them other years \$1.10.

Q. The price has been reduced this year owing to what?—A. The depressed market condition.

Q. Are you aware of any complaints made by the fishermen that the price paid by the canners was not satisfactory?—A. I do not know of any.

Q. Is it within your knowledge that there is any combination on the part of the canners to keep down the price?—A. No, sir; there is no combination here.

Q. Do you know whether the fishermen have ever lost their catch of lobsters by the canners refusing to accept them?—A. No, sir, not to my knowledge; that is not the trouble.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of the canners to operate their factories although a sufficient supply of lobsters was available. Has any such instance occurred to your knowledge?—A. Not here.

Q. What market would the fishermen have in this district for the lobsters if the canneries were closed?—A. I don't know of any market.

Q. Do any facilities exist here for the carrying on of the live lobster industry?—A. Not here.

Q. Which branch of the lobster industry do you think is the more remunerative to the fishermen and the least calculated to deplete the fishery, the canning or the live lobster trade?—A. The canning is the most successful here.

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Q. It is the only branch of the lobster industry here?—A. The only one here.

Q. Do you think the shipment of live lobsters should be favoured in preference to the canning industry?—A. No, I do not think so. To my knowledge that has been tried and was not a success. I think a number of years ago Taylor & Mayo, a Boston firm, shipped by means of a tank with open bottoms.

Q. Would not the lobsters die before they got to Boston?

Mr. GEORGE WINDSOR.—They ran them between here and Bathurst and shipped them by rail, but they died before they got to their destination.

By the Commissioner:

Q. From your experience, can you say whether the hatcheries have helped to maintain the supply of lobsters or not?—A. I don't think they have helped to maintain it.

Q. Have you anything to suggest which, in your opinion, would be calculated to further improve the condition of the lobster fishery?—A. The suggestion I have is that the present regulations should be carried out and harbour fishing should be prohibited.

Q. What am I to understand by harbour fishing?—A. There should be certain boundary lines at the mouth of the harbour.

Q. Inside of which fishing should be prohibited?—A. I think so.

Q. Can you fish anywhere at present?—A. Anywhere. They can come here and fish at these wharfs if they have a mind to.

Q. Is it late in the season before the fish come in here?—A. No, sir, they come in here until the month of July.

Q. Do you find them here in the month of May?—A. No, sir.

Q. When do they begin to come in?—A. About the 15th of June, that is my opinion.

Q. Have you any observations to make as to the value of tidal pounds for breeding purposes?—A. I do not know as to that. Perhaps the pound is preferable to the hatchery.

Q. Do the requisite conditions exist here?—A. Yes, we have good places for them.

Q. The policy contemplated by the department in its regulations is the taking of large lobsters and permitting the small ones to escape. Is there any kind of trap that would be more suitable for that purpose than the existing one? What trap do you use here, the parlour trap or the old fashioned one?—A. We use both here. The parlour trap has only come into use with us a few years ago.

Q. What is the idea in introducing the parlour trap?—A. They seem to hold the fish more.

Q. That is to say all the fish?—A. In the old trap there was a better way for them to get out.

Q. Do you think there would be any advantage in insisting upon a trap with a wider space between the slats?—A. The trap we have now a considerable sized lobster can get out of.

Q. What is the width between the slats?—A. Some of them are made an inch and a quarter apart. The traps are made now that the lobsters cannot get out of them. You will find traps among a lot that are quite wide. That is done with the notice of the packer very probably.

Q. Would you approve of the suggestion that a Fisheries Board should be created for the maritime provinces?—A. If you could get good capable men.

Q. How do you think such a board should be constituted?—A. That would be a matter for a few days thinking.

Q. Is there any other matter connected with this inquiry that you would like to express an opinion upon?—A. No.

Q. Generally speaking you would advise shortening the open season to the 1st of July or the last of June and prohibiting fishing inside the harbour?—A. Yes.

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Q. Confining fishing to the outside coast, is that what you mean?—A. No, I would not say to the outside coast.

Q. What do you mean then by prohibiting fishing in harbours?—A. I mean that no man should be allowed to fish within certain limits at the mouth of harbours, that there should be proper boundary lines.

Q. Taking this particular instance, where would you put the boundary line?—A. I would say from the lighthouse over to Little Lemeque Point, that is giving them an inside berth. In our case, the middle ground, Miscou harbour to Caraqueet island.

Q. That would be a matter for subsequent delimitation. What effect would it have to fish inside those points?—A. Inside of that you are going to get berried lobsters and soft shelled lobsters.

Q. Inside those boundary lines the lobsters come in to spawn?—A. Yes. If you cut down the season to the 1st July you are not going to get anything inside of that to hurt the fishing.

By Mr. Turgeon, M.P.:

Q. If the season should close on the 1st July there would be no necessity for those boundaries?—A. There would be no need of the boundaries at all.

By the Commissioner:

Q. You think that would obviate your suggestions?—A. I think so. Just after the 1st July they begin to get those lobsters there. If the fishing were to close on the 1st July there would be no necessity for the boundaries.

Q. Is the fishing on the outside coast that you talk of done in the shoal water towards the close of the season?—A. Yes.

Q. Is trawling practised here at all?—A. That is what we call it. There is a hoop with a net and there is bait in it. They take all sizes of lobsters, some very small.

Q. In what depth of water?—A. They fish them from three feet out. They come when there is smooth water right as close as they can get.

By Mr. Turgeon, M.P.:

Q. Do you think their use should be prohibited altogether?—A. The like of that certainly should, and they get mostly all small lobsters. If they go into shallow water they get nothing but small lobsters.

Q. At what depth of water do you think we should limit the placing of traps; would 4 fathoms be too hard on the fishermen?—A. We cannot fish in four fathoms.

Q. But you say you go outside to fish first?—A. If the law is going to cut us down to the 1st July let us do whatever we are doing now.

Q. Then within the 1st July you think there is no necessity for any change?—A. No necessity for having changes in the depth of water we can fish in.

By the Commissioner:

Q. To what depth do you go?—A. Within a fathom or a fathom and a half.

Q. That is some distance off the shore?—A. Quite a distance in some places. It is a mile in some places.

By Mr. Turgeon, M.P.:

Q. Your suggestion would be to make the close season begin on the 1st July?—A. That is my suggestion.

Q. You think it would prevent an excessive destruction of lobsters?—A. Yes. We would make up for it afterwards because we would get more lobsters, I think, in years to come.

By the Commissioner:

Q. Is there anything else you wish to add?—A. No, sir, you have required me to answer a lot of questions here.

Witness discharged.

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GEORGE WINDOR, canner Bathurst, N.B., called and sworn.

By the Commissioner:

Q. You have heard the evidence of Mr. Luce; do you fully concur in it?—A. Yes.

Q. What would be your idea as to the proper regulations to be enforced?—A. I would ignore the size limit, have no limit at all, and shorten the season.

Q. What would you fix the season at?—A. That would be pretty hard to do; it all depends upon the locality. I would say that the season should be till the 20th of June.

Q. You would do this with a view of improving the fishery ultimately?—A. Yes. Then all harbour fishing should be done away with, and there should be a new staff of officers.

Q. How about hoop net fishing?—A. I don't know a great deal about that. We don't have it on the inside; that fishing is done on the outside shore. Then 'curly' fishing should be stopped. With 'curlies' they get nothing but small lobsters; they do not take any large ones. Another thing that is injurious to the business is for every Tom, Dick and Harry to be catching lobsters, boiling and cracking them, and selling the meat to the factory. The factory men take them because they cannot very well refuse, but they cannot make a good product out of such lobsters as those and it is bad for the sale of the goods.

Q. Is not that practice prohibited by law at present?—A. It is in certain places, but they do not mind it now.

By Mr. Turgeon, M.P.:

Q. The practice is followed, and you think it should not be?—A. It should not be done; that is where the officers are not doing their duty. When merchants employ men at a certain salary and they do not perform their duty they dismiss them and the government should do the same. They are paying a certain man a salary, and if he is not doing his duty they should dismiss him.

Q. You know, then, that this thing is being done?—A. Certainly I know it. I would not make the statement unless I knew it.

Q. Have you any other suggestion to make?—A. I wonder whether the suggestions I am making will be carried out.

By the Commissioner:

Q. They will all have weight, they will all tell in the end?—A. It is no use to make these suggestions unless they are to be carried out.

Q. These suggestions will come before the Marine and Fisheries Committee of the House of Commons, and I think they are honestly desirous of doing all they can to promote the welfare of the lobster industry?—A. I think you have started too late.

Q. Have the officers been round to the factories measuring the size of the lobsters?—A. Yes.

Q. Would you think the taking of those measurements was fairly done?—A. The officer who was at my place measured very fairly. He measured a whole boatload and took tally. The lobsters are much smaller than what they used to be. When I first started here the average weight of lobsters was 2½ pounds.

By Mr. Turgeon, M.P.:

Q. That was 30 years ago?—A. Yes; 2½ pounds was the average weight of lobsters then.

By the Commissioner:

Q. What is the average weight of the lobsters taken to-day?—A. The average weight? It takes five to a pound. It averages about the same in count that it does in weight. I have weighed and counted them.

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Q. How long have you been in the industry?—A. I have been 32 years in it here.

By Mr. Turgeon, M.P.:

Q. What year did your father start?—A. He packed the first lobsters put up in the Baie des Chaleurs over 56 years ago.

By the Commissioner:

Q. The first canning done here was the canning of salmon?—A. Yes.

Q. And they gradually went into the canning of lobsters?—A. Yes.

Q. How many boats do you employ?—A. Seven or eight boats with 1,500 or 1,800 traps. The average catch is about 300 cases.

Q. How many canneries?—A. There are four canneries.

Q. How are your fishermen paid?—A. By wages. We used to pay them 15 cents per 100 pounds when I first started fishing. They were not satisfied and we went in for wages. Now the lobsters cost us \$3 a hundred.

Q. Do you consider that the average fisherman employed in that way is as active and energetic as when he is fishing for himself?—A. No, but we cannot get them any other way.

Q. What is the ordinary wages paid to the fishermen?—A. From \$30 to \$40 and board themselves.

Q. You supply the material?—A. We supply everything.

Witness discharged.

EDWARD BURBRIDGE, Fisherman, Miscou Point, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. I started when I was a boy of fifteen, but dropped it for a time and went back to it again. I have been fishing this five or six summers.

Q. What do you do when you are not lobster fishing?—A. I generally go away in the fall and summer.

Q. On what part of the coast do you carry on your fishing?—A. Off Miscou Point.

Q. Do you always fish there?—A. Mostly always fish there.

Q. There is no such thing as a Fishermans Union in this locality?—A. No.

Q. Are there many other fishermen engaged in lobster fishing in that locality?—A. Most of the people about Miscou.

Q. Could you give me any idea of the total number of boats employed in the lobster fishery about Miscou?—A. Some mornings as far as I can notice, we will count eighty all going off in various directions.

Q. How far off shore do you begin to fish?—A. I could not exactly tell you. Round five and six miles it may be in the spring of the year in nine or ten fathoms of water.

Q. Do you fish throughout the season in the same depth of water?—A. No, sir.

Q. Please describe what happens in the course of fishing operations?—A. When the lobsters go from the outside we generally have the inside shore fishing. We commence to lug in our traps then to get the shore lobsters.

Q. Into what depth of water do you move?—A. Two and a half to three fathoms. Down at Miscou the water is shoal.

Q. The bottom is sandy?—A. Close in it is sandy.

Q. And what is the bottom like outside where you begin?—A. It is rocky and there is more kelp.

Q. Is the annual catch decreasing or otherwise?—A. I find it decreasing.

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Q. In what way?—A. We don't get the amount of lobsters, the amount of weight of lobsters.

Q. Do you get as many lobsters and are they smaller?—A. We never count, it is all by weight. They are all weighed but we find we do not get as much.

Q. Are the lobsters as large now as when you first began to fish?—A. No. The lobsters outside are a very good average in the spring. This spring we would not have to fire two lobsters away that would not be worth while. Inside they are smaller.

Q. How are you fishing, by wages?—A. By hundred weight.

Q. Has the number of traps increased very much in your neighbourhood?—A. No, they keep about the same, 250 to 275 to a boat.

Q. Did you use that many when you began to fish?—A. No, when I began to fish on wages it was 220.

Q. On the whole are there more traps fished round Miscou Point to-day than when you first started fishing?—A. There are more boats and therefore more traps.

Q. Is there any difference between the trap you fish now and the one you began to fish with?—A. I think a little. We have got the patent trap now as we call it.

Q. That is the parlour trap?—A. The parlour trap and maybe the laths are a little closer than before.

Q. Do you think it would make any difference if the laths were kept farther apart?—A. More than likely the small lobsters would crawl out. Sometimes the laths are not nailed to exactly the right allowance that you would allow.

Q. Are the laths closer than when you began to fish?—A. I think so.

Q. Why have the laths been made closer?—A. I suppose it is to hold all the lobsters we get.

Q. Is it your opinion now that you keep up your weight of lobsters by taking much smaller lobsters than you formerly used to take?—A. I think that before we got more lobsters, because we can tell by the hand barrows. To-day we got two or three hand barrows, in those days seven or eight. It shows we got more lobsters then.

Q. It has been suggested that for the better control of the lobster fishery the fishermen should be required to register and take out a license at a nominal fee; what do you think of that?—A. I don't suppose it would make any difference to me but there are some poorer people who would not want to pay any.

By Mr. Turgeon, M.P.:

Q. They would find it a hardship?—A. They find it a hardship as it is now.

By the Commissioner:

Q. How does the price paid for lobsters to-day compare with what was paid when you first began to fish; are you making as good wages as when you started?—A. I think so. The country is prosperous. Before we had to work for smaller pay. About eight or nine years ago the wages were lower but they are now coming up all around in different ways. The wages are a little low this year, but I understand that is due to the market. I was willing to work for lower wages because of that and on the average I did not do too bad. The season is not very long and I would not depend upon lobster fishing for making a living.

Q. Is there any competition among the canners or are you supposed to accept a certain price?—A. No.

Q. If you cannot agree with one man you can go to another?—A. We can go to another and we generally get what we are looking for.

Q. What are the regulations in regard to the lobster fishery? Do you know what the regulation is in regard to the size limit, the taking of berried lobsters, the season for fishing and so on?—A. I think nine inches was the old size limit and it is eight inches now. Of course we know the time of the season. That is to the 10th of July; it used to be the 15th.

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Q. And how about the berried lobsters?—A. That is one thing I would like to see, the berried lobsters hove overboard. I will take my oath I did not bring 15 or 20 berried lobsters ashore this season.

Q. What is your practice in regard to the berried lobsters?—A. I don't know what to say about that. There is not much in it for the boss or for the fishermen. They get a little meat out of it. If they did not they would not do it. I think the berried lobsters should be protected, I have always said that.

Q. Have you yourself tried to carry out the regulation in that respect?—A. Whenever we have caught them I would say, 'We had better fire these lobsters away. If they don't do us good this year they will do some other fellow good.' I would tell that to my boss and he would say: 'I would like to see it done, but what is the good of your doing it and some other boat finding the lobsters next day.'

Q. Do you take to the cannery everything you catch?—A. Well, the smallest ones, these of 5 and 6 inches, we would not be bothered with because they will only weigh a quarter of a pound and that is only a quarter of a cent, so we would sooner heave them away.

Q. Do you expect a canner to take from you all the lobsters you bring to the factory regardless of whether they are under-sized or berried?—A. He does but he never looks them over. I don't suppose it is his place to look them over.

Q. Do you not understand the necessity for having some regulations for the protection of the lobster fishery and that it is wrong to violate those regulations?—A. Yes, but it is not enforced. If it was enforced it could not be carried out.

By Mr. Turgeon, M.P.:

Q. But you say that berried lobsters should be protected?—A. Yes.

Q. Then what suggestion do you make in order to have that protection?—A. That is the next thing. There are some fishermen I have been talking with that will say: 'If that law goes into force we will scrape the eggs off, take a brush and scrape them off, or slap them in the water and the spawn will fall off.' I said: 'That would be no good because the crabs will eat the spawn. That is not looking after your own interests for the spawn will be lobsters in a few years to come.' If we could have officers to look after this it would be possible to protect the berried lobsters.

By the Commissioner:

Q. How will it be possible for officers to look after what goes on in the boats outside?—A. There should be a fine put on the fishermen. It is pretty hard to put it on the boss of the cannery because he could not be in the boats and the lobsters are all buried up in our hand barrows. The boss does not know who brings them in. I think if the fishermen were warned——

Q. Do you not think the fishermen understand the importance of protecting the berried lobsters, they have been warned, have they not?—A. They have been warned by the officers.

Q. As to the practice, or evil effects of the practice, of stripping the eggs from the berried lobsters?—A. If there was a fine put on the fishermen I think we would be more careful for what we are making out of it.

By Mr. Turgeon, M.P.:

Q. How do you think a fishery officer could reach the fishermen with certainty?—A. I don't see how he can be at the factory and watch them along the shore.

Q. But you say the berried lobsters are stripped at sea?—A. There is a lot of spawn will stop on. I know, I have seen them doing it.

By the Commissioner:

Q. You can generally tell whether that has been done or not?—A. As it is they are coming in and they are caught as quick as they are coming in.

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By the Commissioner:

Q. Do you catch as many berried lobsters one season as another?—A. Where I am fishing on the outside we don't find many.

Q. How is it when you begin fishing?—A. They are very few; they don't amount to much.

Q. As the season advances you move farther inshore?—A. We find more towards the middle ground and the shore.

Q. Are there any particular months when you find more berried lobsters than you do in the month of May?—A. We are not bothered much with them then.

Q. What about the month of June?—A. June is the time they are coming along.

Q. And July?—A. The July lobsters are so slack we don't find many now, that is down on the outside shore.

Q. But you fish in July?—A. Not this year.

Q. When do you generally knock off fishing in your case?—A. I think we stopped somewhere about the last of June this year because the lobsters were so slack we could not do anything.

Q. Do they not, one year with another, slacken off towards the end of the season?—A. This last two years they were poor. The year before it was good fishing right up to the end. On the average, the men done well.

Mr. GEORGE WINDSOR.—And there is better fishing after the end——

The WITNESS.—After the end of August the lobsters are thick, in September I think it is, along the shore.

By the Commissioner:

Q. So the lobsters are very numerous along the shore?—A. Yes.

Q. The year you made very good fishing in July, or after that, was the fishing poor at the beginning?—A. That was the year I fished for Mr. Windsor, and that is the year they did so well on the other side.

Q. The lobsters were abundant all through the season?—A. Right through to the last. I saw the accounts this year that there was good fishing.

Q. Do you consider there is any time when the lobsters are not fit for food?—A. Well, not on the outside shore. I understand that in the harbour this year they had to fire half the lobsters away on account of being soft. I have heard the fishermen tell that saw them.

Q. That is lobsters that were soft in the shell?—A. Soft in the shell or cast their shell. We don't get them on the outside at all.

Q. What is the smallest size at which you have seen a lobster with berries?—A. I should say about 8 inches.

Q. What is the average size of the lobsters you find bearing berries?—A. All the way from 9 to 10 inches. They are nice looking heavy lobsters and we hate to lose them on account of the weight.

Q. Out of every hundred lobsters that you catch how many would have berries on them?—A. On an average I would say that out of a 400-pound catch we would get from 5 to 8 a day. That may be 600 or 700 lobsters. We get the heavy lobsters outside and we might have 4 or 5 or 10.

Q. What do you think of the idea of compelling the canners to pay an increased fee and with the money thus raised buying the berried lobsters from the fishermen?—A. My boss, that is Mr. Ward, says that if they would go to work with the money they are paying out on the hatchery business and each man have a crate and save them, let them pay so much a pound for them, and let them go free again, it would be better. He put that to me at different times that it would be better than if the money were spent on a hatchery. The main thing is the berried lobsters.

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Q. What is the best way to go to work to save the berried lobsters?—A. I think if the fishermen were put on oath not to scratch off the spawn, because I don't think that does the lobster any good.

Q. Do you think these lobsters could be taken from the fishermen and held in pounds? Are there places where tidal pounds could be established in which these lobsters could be placed and allowed to hatch out their spawn?—A. There are places you could put them in. Right at Point Miscou we have two bays where the tide flows in and out. There is always seaweed there, and I do not think there are any crabs to touch the spawn, and the lobsters could be protected in that way.

Q. Is there any attempt made at all to enforce the regulations?—A. I don't think so.

Q. You expect the canner to take everything you bring?—A. Yes.

Q. And he does so?—A. Yes.

Q. Are there any changes in the regulations which you would suggest?—A. We should come ashore about the last of June or the 1st July. We can do nothing then and are only too glad to bring our traps ashore. We should all come ashore at the same time, on the 1st July, and have 10 days taken off.

Q. Have the cannery in your neighbourhood ever objected to accepting berried lobsters?—A. Not to my knowledge.

Q. Do they ever make any examination for the purpose of separating berried lobsters from the others?—A. No, sir, not to my knowledge.

Q. Where large quantities of lobsters are brought to the factory in barrows and dumped out would it be easy to tell whether there are spawn lobsters among them or not?—A. No, it would be pretty hard to tell. The proper time to do that is when they are taking them out of the traps. It is up to the fishermen not to the boss. The boss cannot look after things except on shore.

By Mr. Turgeon, M.P.:

Q. You made the suggestion to put every fisherman under oath that he would not take berried lobsters?—A. Yes.

Q. And would you fine them for violating their oath?—A. Yes; I would have a fine of \$50.

By the Commissioner:

Q. They are supposed to be fined under the law as it is?—A. Yes, but it is not enforced.

By Mr. Turgeon, M.P.:

Q. Then you think that by putting them under oath——A. It would be stopped. I would be only too willing to fire away every berried lobster for all we are getting out of it. It will give us an increase of lobsters and maybe the fishery will be better later on.

By the Commissioner:

Q. I think you have told us that berried lobsters are more numerous towards the end of the fishing season than at the beginning?—A. Yes.

Q. Are you aware of any fishermen having lost their catch of lobsters by the canner refusing to take them?—A. No, sir, not around here. They are only too glad to take what the fishermen catch.

Q. As a practical fisherman what do you think of the present regulation restricting canning to certain individuals, do you think a canning license should be granted to every one who applies for it?—A. Of course it would be hard on the men that have put all their money into it. I always tried for a license but I never could get one. My father was in the canning business, but I was too late to get in.

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Q. Do you know anything about shipping live lobsters to the market?—A. I don't think you can do it around here.

Q. It has never been tried to your knowledge and the facilities do not exist?—A. No, sir. I have always wanted to get a license. I could make more money canning on a small scale than I could by fishing.

By Mr. Turgeon, M.P.:

Q. You think that in some place where the licenses are not too thick you could get one?—A. Yes, but if every one were to go into the business it would be hard on the men who have their money invested.

By the Commissioner:

Q. Do you think that the average man is qualified to put up lobsters?—A. I don't think such men could put up the lobsters. Of course I had experience in my father's factory.

Q. Who fixes the price paid for lobsters?—A. That is done by each boss, whatever he can afford to stand.

Q. There is no attempt on the part of lobster packers to keep the price down? If one man does not give you what you want you can go to the next?—A. Yes. Lots of fishermen kick but they will kick about anything.

Q. Do you think that fishing is carried on after the close of the season?—A. Yes, secretly.

Q. And is canning done too?—A. Yes, and it is pretty hard for the overseer to hunt them up. They do it in a blind way, but I know their ways.

Q. Where is that canning done; in the woods and in private houses?—A. Mostly in the houses in a secret way at night. If they are liable to get a visit from the overseer they pile vegetables on top of their cans. I canned myself in that way and I was caught.

Q. And were you fined?—A. Yes. There were so many I could not get clear of it.

Q. If the size limit were strictly enforced how would it affect the canner and the industry?—A. I don't think it would hurt them much. Inside they say it would, but it will not hurt on the outside. We have measured them at different times to see what size they would be and there would only be five or six under-sized lobsters.

Q. What do you think of keeping the lobster fishing farther out from the shore and only allowing them to fish within a certain depth of water?—A. Can they do it, can they make a boundary?

Q. We would say they must fish in a certain depth of water. How many fathoms would you say?—A. No closer than two and a half to three fathoms.

Q. What do you think about the hoop net fishing, have you ever tried it yourself?—A. No, sir, I heard that it took 750 of the lobsters caught in that way to make a box. That is ridiculous because there is no meat in them. That is a really small lobster, we don't want any such lobsters as that. If those lobsters were allowed to grow next year they would give us more money and more money to the packer.

Q. What is the best fishing month with you?—The month of May and first two weeks in June.

Q. When would you shorten the season up to?—A. The 1st of July, no later than that.

Q. And do you think it is possible to enforce the size limit?—A. It is quite a humbug to know which way to measure them. If we have to measure them how are we going to do it?

Q. Do you not think you will soon get used to it?—A. It is not so easy to be enforced. If we have to fire 5 or 6-inch lobsters away and not bring them ashore it would be right. For an exact half-inch we cannot tell because we cannot carry a rule, but if we are in a hurry sometimes we can group three lobsters at a time, because they are so small.

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Q. Is there anything else you would like to tell us that we have not questioned you about?—A. There is the harbour fishing which should be stopped. A boundary should be established and it is easy to make one. Look at the Miramichi, there is a boundary from one point to a certain point. The officer could tell that boundary and stand back of it. If he finds a big mouth net within that boundary he orders the fisherman in so many hours to take it up. The lobsters can be treated in the same way and a boundary established from a certain point to a certain point.

By Mr. Turgeon, M.P.:

Mr. Luce said that to fish within the boundary before the 1st July would not be hurtful?—A. Before that would not hurt us, that is the time you get good fish.

Q. One of the best regulations then would be to stop fishing strictly on the 1st July?—A. Yes, and try and do something about the spawn lobsters.

Q. What do you say about the size limit? Do you think that regulates itself and that the fishermen would not be bringing the small lobsters ashore?—A. Not too small lobsters. If they would not bring any below 7 inches it would be all right. You can easily tell these lobsters. Eight hundred or 1,000 of them make 100 pounds weight, and the poor class of people would bring them ashore. They are the people that are interested and would bring them ashore. Of course, we do not get these small lobsters in the month of May.

Q. It is towards the close of the season and in shallow water?—A. In the shallow water the closer we get to the shore we get the smaller lobsters; I tried it this year myself. We would take a line of odd traps and get 16 or 20 lobsters that would not weigh, I suppose, 10 pounds, and four or five of these spawn lobsters.

Witness discharged.

MARCEL GAUVIN, fisherman, called and sworn:—

The witness gave his testimony in French, translated as follows:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. I have been fishing lobsters for five years. I work at farming when not fishing.

Q. Where do you fish?—A. I fish at Canoe Point and have always fished in the same place. There are about 24 boats fishing lobsters at that place.

Q. Are there generally two men to a boat?—A. Yes.

Q. At what depth of water do you commence fishing?—A. Six fathoms of water in the spring.

Q. Do you always fish in the same depth of water?—A. No, I fish in that depth of water in the first part of the spring. About the middle of June I move into two or three fathoms of water. We find that depth of water about a mile from the shore.

Q. Is the fishing as good now as it was some years ago?—A. No, there are not as many lobsters as when I began fishing.

Q. What number of traps do you fish?—A. 240.

Q. Have you always fished the same number of traps?—A. Yes. There are more traps fishing now than there were five years ago, but in my locality it was always the same number.

Q. Have you always used the same kind of traps?—A. No, at first we were fishing traps with two nets. Now we fish with five nets. The French people call it the five net trap and the English the parlour trap.

Q. Why do you use those new traps?—A. Because we are more lucky.

Q. Do you think those traps are used because they retain the lobsters better?—A. Yes, because in the bad weather we don't lose any, no lobsters escape.

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Q. How are you paid?—A. I am paid by the month and not by the quantity caught. The gear and traps belong to the boss.

Q. Do you think that if the fishermen took out a license to fish lobsters they would observe the regulations more strictly?—A. It would be about the same.

Q. Has the price paid for lobsters increased or decreased since you commenced fishing?—A. We have always been paid by wages and about the same wages for the last five years, about \$33 a month.

Q. What regulations are enforced with respect to the berried lobsters?—A. We have to throw them into the water when we take them.

Q. And about the small lobsters?—A. The regulation, I think, is between 8 and 9 inches.

Q. Do you follow these regulations?—A. Yes.

Q. Is it your practice to bring berried lobsters to shore?—A. I bring none at all to the shore, and very small lobsters I don't bring ashore. From 5 to 6 inches I throw out.

Q. Do the canners refuse to accept the berried lobsters?—A. I suppose if I brought them they would take them all, but I don't bring any.

Q. Do you find female lobsters all the season?—A. Yes, we find them all the season.

Q. Do you find more female lobsters in May or in June?—A. I believe in June we find more. The small lobsters are about the same, we find them in about the same quantity at all times. In the first part of the spring when we are fishing in deeper water we don't get as many undersized lobsters.

Q. Do you think the lobster comes closer to shore to spawn?—A. I believe they do.

• Q. Is there any period in the season when lobsters are not fit to eat?—A. From the 1st July to 15th July the lobsters are not worth much.

Q. What is the smallest sized lobster you have seen with berries?—A. The small lobsters have none. The 10-inch lobsters I am sure have berries.

Q. What is the average size of the lobsters you get here?—A. The average is from 8 to 9 inches.

Q. Do you think that the regulations are strictly followed?—A. They are not too badly followed where we work.

Q. Is it the practice for fishermen to rub off the eggs from berried lobsters?—A. I have not seen it done. I never heard of it in my district.

Q. Do you think that any effort is made to detect the berried lobsters when they arrive at the factory?—A. I have no knowledge of that.

Q. If the canners were to refuse to accept small lobsters what would be the effect upon the industry?—A. Nobody could compel the canners to take them.

Q. Do you think that if the fishermen did not take the small lobsters the factories would have to close?—A. Yes, because without the medium sized lobsters they take and the small ones we bring in, it would be hardly worth while to keep up fishing.

Q. Do you think it possible to get the fishermen not to take the berried or small lobsters?—A. As far as berried lobsters are concerned they should not be brought to shore at all. If we were to throw out all the lobsters under 8 inches it would be hard on the packers. The fishermen in my district fish by the month so it would be the same for them. In my district nobody fishes by weight it is all by wages.

Q. Do you think it would be a good thing if the government were to buy the female lobsters from the fishermen and keep them in pounds?—A. It would be a good thing. There are little coves which would be very suitable for breeding purposes. There is water enough in these coves as the tide comes in and out.

Q. Do you think that would be the best means of preserving the berried lobster?—A. I believe it would be a very good thing to adopt.

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Q. Do you think it possible to stop lobster fishing in the harbours?—A. We always fish outside; we don't fish in the harbours in our district.

Q. Do you think the season should be shortened?—A. It is already short enough; if made any shorter the fishermen will not work.

Q. Do you always fish to the last day of the season?—A. Generally speaking we generally fish to the last day.

Q. Do you think we should give a license to pack to every man who asks for it?—A. I believe there are enough canning licenses already in the interest of the lobster fishery. As far as the people are concerned no doubt many would like to have a license.

Q. Is there any other means of exploiting the lobster industry besides canning? What about the live lobster trade?—A. We would have to send them too far, the distance is too great to enable that to be done successfully.

Q. What remedy would you suggest for the improvement of the lobster industry?—A. If the berried lobsters were collected and preserved in pounds I believe it would be the best means.

Q. Some people claim the best way would be to close the factories for a certain number of years?—A. I don't believe it would be any better. This year at the beginning of the season there were plenty of lobsters, and I believe it was the weather that cut the fishing operations short.

Q. Do you know of any combine among the packers to keep down the price paid for lobsters?—A. No, not here.

Q. Do you think the fishermen would be better off if any one who applied could get a license to pack lobsters?—A. It is hard for me to say.

Q. Do you think any changes could be made in the regulations that would improve the present conditions?—A. My idea would be to stop fishing on the 1st July and fish again later on. Early in July the lobster is worth nothing. I would commence later on in July, say from the 15th to the end of August.

Q. Do you think the end of the industry would come sooner?—A. There are plenty of lobsters in the sea.

Q. Do you think the lobsters are smaller than they were 30 years ago?—A. Since I have been fishing the lobsters are about the same.

Q. Is it to your knowledge that the catch of lobsters has decreased?—A. Yes, there have been more traps used and more berried lobsters brought ashore. There are more traps used now than there were some years ago.

Q. Do you think it is a good thing to take small and immature lobsters?—A. When they are small they are no good.

Q. If we continue to take lobsters before they have had time to reproduce themselves will it not be fatal to the industry?—A. I believe it will.

Q. Do you think it takes more lobsters to fill a pound can in the spring than in the fall?—A. In the fall it would not take as many because the lobster is full after he has cast his shell.

Q. In what month is the fishing best?—A. In the month of May; it commences to fall off in June.

Q. Do you think there are lobster packers enough at present?—A. I believe there are enough in this district.

Q. Have you anything else you would like to add?—A. No, there is nothing else nothing I need suggest.

Witness discharged.

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PIERRE GUIGNARD, fisherman, called and sworn:—

By the Commissioner:

Q. You have heard the evidence given by the previous witness; have you anything to add to it?—A. No.

Q. How many years' experience have you had lobster fishing?—A. I have had 11 or 12 years' fishing with traps.

Q. Do you find that the supply of lobsters has fallen off?—A. It has, but not a great deal after all.

Q. Do you think that the supply had already fallen off before you commenced fishing?—A. Yes, I believe it had already come.

Q. In your opinion has this decrease about stopped now?—A. I must say that for the last couple of years the catch has been about the same. At the time I commenced there was one factory alone which was packing about 1,200 cases. Now there are three factories that average 1,200 cases. Between these three factories they have got a good deal more traps and more fishermen. In former years there were only 10 or 12 boats, but now there are about 24.

Q. It requires more gear and more boats to make up the same catch that it did some years ago?—A. Yes.

Q. Do you think the regulations are well observed?—A. Yes, I think they are well enough followed. We bring no berried lobsters ashore. As for the small lobsters, those that are any good we bring ashore and those that are small enough to escape from the traps will get out themselves.

Q. What suggestions have you to make in the interest of the fishery?—A. From the 15th July the lobster is worth nothing. It changes its shell in about two weeks, and after that it improves rapidly. Some years when we have taken out traps about the 10th July there is already a good quantity of good lobsters.

By Dr. Sormany, M.P.P.:

Q. Do you not think there are too many traps along the shore, all round the island?—A. Yes, there is a good many of them.

Q. Do you not think that if each license was limited to a certain number of traps it would have better results?—A. Yes. There may be a school of lobsters in deep water and before they can get through the traps there is hardly one left; they are all caught.

Q. Do you think it would be better to limit the number of traps fished by each canner than the number of licenses?—A. Yes.

Q. At how many fathoms do you set your traps?—A. In the spring at five and six fathoms. We move into two or three fathoms. Later in the spring there are no more lobsters to be fished in deep water, they come closer to the shore.

Witness discharged.

ANDREW V. ROBICHAUD, fisherman, called and sworn:—

By the Commissioner:

Q. Where do you fish?—A. I fish at St. Marys, on the eastern shore.

Q. How many seasons have you fished there?—A. I have fished four summers, two lately and two about 14 years ago.

Q. Do you carry on any other fishing?—A. No, when I don't fish I follow driving in the lumbering.

Q. How many fishermen are there in the same district?—A. Six in the same factory; there are not many factories there.

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Q. How many fishermen to a boat??—A. Three boats, two fishermen in a boat.

Q. When do you commence to fish?—A. I commence in the first week in May.

Q. At what depth do you fish when you commence?—A. Six and a half to 13 fathoms.

Q. How many traps do you fish?—A. 250 last season.

Q. Did you always fish the same number of traps?—A. I fished 250 this year at first, but at the end I had only 210. Last year I had 250 all the summer, always the same number of traps and about the same depth of water.

Q. Are you paid by wages or by weight?—A. I am paid by wages by the month. The gear belongs to the packer.

Q. Do you fish in the same depth of water all the season?—A. No, when the fish begin to slacken we move our traps farther into the shore in $4\frac{1}{2}$ fathoms.

Q. Do you make more than one change?—A. Sometimes we move two or three times until we find the lobsters.

Q. Is it the practice to go closer to the shore as the season advances?—A. Yes, because the lobsters themselves go closer to the shore.

Q. Do you think the fishing has fallen off?—A. I believe it has, according to my judgment.

Q. Do you think that on the average the lobster is as big now as it was?—A. No, far smaller.

Q. Has the number of traps increased?—A. They have doubled during the last 14 years.

Q. Do you fish the same kind of traps now?—A. No, we don't fish the same kind of traps. I don't, this summer. I fished the five-net trap this summer.

Q. Why do you fish the five-net trap?—A. Because it is better for the lobster fishing. We get more lobsters with these traps than with the others. We hold them in the trap and they cannot get out. When we had only the two net traps there was a hole at both ends and they got out.

Q. Even large lobsters as well as small ones?—A. Yes, because the hoops were 5 inches long.

Q. Do you think it is fair to say that you fish with a parlour trap so as to catch the small lobsters, because out of that trap nothing gets out?—A. The smallest can get out through the laths if they are small enough, because there is a space between the laths.

Q. What size lobster do you think will escape?—A. I should say about 4 or 5 inches would go through that by my judgment.

Q. And the other lobsters would remain?—A. And the others would remain.

Q. Are all the fishermen hired by the month?—A. In my district they are all hired by the month. Some of them have contracts and sell by weight, but very little. Some of them have 25 or 40 traps, and so on, with hoop fishing besides that.

Q. Do you think that if every fisherman had to take out a license to fish it would make any difference in his observance of the law?—A. I don't know exactly, but I think they have licenses enough now for the lobsters there are.

Q. Some people have suggested that if only those men were allowed to fish that were licensed they would be more careful. Do you think it would make any difference in your case whether you had a license in your pocket or whether you fished without one?—A. It is pretty hard for me to answer that in one way, because I know my mind, but I don't know another man's mind. If I had a license I might work all right and the other might work wrong.

Q. Would it lead you to inform on the other man if you found he was violating the law?—A. Yes, it would. If I saw him doing wrong I might tell him to do right, but it would be pretty hard for one man to lead the whole lot.

Q. What are the fishermen doing with the berried lobsters?—A. Some of them bring them to the hatchery and the others are boiling them in the boilers. I don't

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know myself whether it is right or wrong. If it was me I would leave them outside where they belong; they should not be brought ashore at all.

Q. What is the general practice?—A. The practice around the factory where I take is that they bring the spawn lobsters to the hatchery. The others boil them.

Q. Are not all the factories in the neighbourhood supplying the hatchery?—A. As far as our factory is concerned, they bring the berried lobsters to the hatchery. The rest I don't know what they do.

Q. As to the small lobsters, what is the practice?—A. They bring everything ashore.

Q. Does the canner make any objection to receiving small lobsters?—A. No, not where I am.

Q. If the canner did object, what would happen?—A. We would have to throw them overboard, I suppose.

Q. You would not bring them ashore?—A. I would not bring them ashore; you can't go against the orders.

Q. Then you take ashore to the factory everything you catch in your traps?—A. Yes.

Q. Has the canner in your neighbourhood ever objected to receiving anything you brought him?—A. No.

Q. Have you any idea as to the spawning habits of the lobster, do you find spawn lobsters during all the season?—A. Yes, sir, from the first to the last.

Q. Is there any time when spawn lobsters are more numerous than at another?—A. No. About three weeks before quitting the fishing they are just about spawning.

Q. You can tell by the eggs whether they are ripe or not, they get loose?—A. They are loose on the lobster and if shaken a little they fall off.

Q. Then what do you say is the spawning time of the lobster?—A. From the 15th July to the month of August is about the time they spawn, in my judgment.

By Mr. Turgeon, M.P.:

Q. Do you not think they spawn about the first part of July?—A. We never found any that were out of spawn before we quit fishing, they always had spawn on them. Last year I found eight of them and they had spawn on them and I shook it off. That was on the 10th of the month.

By the Commissioner:

Q. Is it the practice here to shake the eggs off?—A. No, only when a man wants them, that is all. I do shake them off when I take the eggs.

Q. It is not a hard matter to shake the spawn off?—A. No, not when they are ripe.

Q. Is it hard at any other time?—A. You will spoil them because they are just coming on.

Q. Do you think there is any time when the lobsters are not fit for food?—A. Well, you have got me there. I think they are good eating every time to my taste.

Q. From the opening to the close of the season what would be the average size of the lobsters you catch?—A. I should give my average from the smallest to the biggest as about 7 inches.

Q. That is the average size of the lobsters you catch?—A. That I caught this summer. But it is not so with every boat. My run of lobsters was big and others still smaller.

Q. What is the smallest sized lobster you ever saw with eggs on it?—A. It is generally the way that the big female lobsters have spawn and the small lobsters have none. I have never seen a small one with spawn on. I should say the smallest I have seen with spawn on would be an average of about 9 inches.

Q. Do you find more spawn lobsters at the close than at the beginning of the season?—A. Yes.

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Q. What would you say would be the average number of lobsters bearing spawn out of a hundred?—A. Some days we have none and others two or three during the summer. At the last you will get five or six and as many as eight. At the beginning you will find none. You can judge the average from that.

Q. Do you think the canners make any examination of the lobsters when brought to them to ascertain whether any are berried or not?—A. They did at our factory because the packer was supplying the spawn to the hatchery. I don't know about the other factories.

Q. Do you think that spawn lobsters after being taken out of a trap and held in the boat for some hours with other lobsters piled on them and then carried to the cannery are likely to survive if picked out and returned to the water?—A. Some would survive and others would not. A man with any judgment cannot say they are all good because some of them are smashed. However, there are some that are good because they have spawn on them.

Q. If the berried lobster is to be returned to the water, should she be returned to the water when caught?—A. Yes, then she would be all right and spawn all right.

Q. There is a chance that the spawn would be lost if the spawn lobsters remain a few hours in the boat and are then piled in a barrow and dumped out at the factory? In most cases these lobsters are canned?—A. The most of them anyway.

Q. Do you think it would be possible to make a thorough examination of the catch brought in at the cannery in order to pick out the berried lobsters; would it be an easy matter to cull the catch so as to save the berried or small lobsters?—A. It would not.

Q. You do not think it could be easily done?—A. I suppose if the law made them they could do it.

Q. Do you think it would be possible to induce the fishermen to return all the berried lobsters they take in their traps to the water at once?—A. I think it would be easy to get them to return the berried lobsters to the water if there was a fine heavy enough so that they would keep them there.

Q. You would have to fine the fishermen and not the canner?—A. Yes, I would say that if the fine was on the fishermen it would be better.

Q. But it is on the fishermen at present?—A. Well, it is all right if it is on the fisherman, because he brings everything ashore and everything goes to the boiler. Sometimes the canner looks and sometimes he does not. If the fine was on the fisherman when he caught spawn lobsters he would put them overboard.

Q. Why do they not do it now? Do not the fishermen understand that the future condition of the fishery depends upon the preservation of the spawn lobsters?—A. I don't know what they do in other places; we bring them ashore.

Q. Before you had the hatchery what did you do?—A. Thirteen or fourteen years ago when I did fishing I had orders to bring everything ashore.

Q. From whom?—A. From the boss, the packer.

Q. So you brought the small ones and the berried lobsters also then?—A. We brought everything ashore. Lately we have brought spawn lobsters ashore because they are saving the spawn for the hatchery.

Q. What would be your idea about buying the berried lobsters from the fishermen and retaining them in pounds?—A. I don't know whether we have any pounds here that contain feed for them.

Q. There should be from the way you are situated with inlets and indentations in the coast. You do not think pounds would be of any use?—A. Not the way we are fixed.

Q. What is your idea about the present license system, do you think the number of licenses to pack should be restricted?—A. I should think not, I should think that the licenses are all right.

Q. The number is supposed to be restricted now; under the regulations there are

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no new licenses issued.—A. Do you mean to say to stop fishing? I don't understand you.

Q. Do you think there is any reason why any man that wanted it should not get a license?—A. I don't know about that.

Q. Some people claim there is no good reason why the number of licenses should be restricted, that one man has as much right to get a license as another; what is your opinion?—A. My opinion upon that is that if every man had a license the lobsters would be slacker in a few years than they are now because there would be too many fishermen around the shore.

Q. Do you think the number of traps is too great?—A. No.

Q. Do you not think there are too many traps fished?—A. I don't think it, I don't think there are too many traps fished.

Q. It is possible for the lobsters to get past the barrier of traps set around the coast?—A. There is lots of space for the lobsters to go between the lines of traps yet.

Q. Do you think it would be wise to confine the licenses to certain districts and give every man his water limit?—A. Yes, that ought to be done. Every man ought to have his part of the shore to fish and no other man encroach upon him.

Q. Would you not limit the number of traps in that particular district? What would be the good of any restriction if the fishermen were allowed to fill the place up with traps as some men doubtless would?—A. It is pretty hard for me to answer that.

Q. You have an opinion to offer surely upon that point, you are a fisherman of more than ordinary intelligence?—A. I should say that if a man had so many miles to fish under his license he ought to put as many traps as he wanted in that ground.

By Mr. Turgeon, M.P.:

Q. Use his ground?—A. Use his ground.

By the Commissioner:

Q. Do you not think he would use it up?—A. I mean that he should fish as much as he wanted to up to the close season.

Q. Do you not think that if a man had a certain area allotted to him, it would be to his interest to protect that area and not overfish it?—A. It would not be overfishing if he fished until the close season and then stopped. Next season the lobsters would come on his ground as much as on the others.

Q. You think then the lobsters wander all over?—A. I think so. If a man is allowed to fish so many miles of ground he ought to be allowed to fish as many traps as he wanted.

Q. When you go out first to fish do you think the lobsters are coming in from deeper water beyond where your traps are set?—A. Yes, by the way our traps are fishing. Our traps are set off from the shore. Where we first begin to fish is outside. Then we feel the lobsters coming in.

Q. When do you think the lobsters leave the shore?—A. I don't know anything about that. I never followed them out, I never walked on the water.

Q. Supposing the canneries here were to be closed, would there be any other market for the lobsters?—A. I don't know that. I know it would be a darn poor time if the factories were closed.

Q. Do you think that an increase in the number of canneries would result in an increased catch of small lobsters?—A. I don't know at all.

Q. I suppose an increase in the number of canneries would mean an increase in the number of traps?—A. Yes.

Q. And if the number of traps were increased would you not be catching still smaller lobsters than you are at present?—A. Yes, there would be more small lobsters caught.

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Q. Do you think that if the law with regard to the 8-inch limit were strictly enforced it would put the canner out of business?—A. I should say so. I am pretty sure it would, because they would not can if they were restricted to 8 inches.

Q. Do you think if the size limit were abolished it would make much difference in the size of the lobsters you bring ashore?—A. It would not make much difference because we don't get any smaller than 5 or 6 inches. The smallest lobster gets through. If we were to take any smaller than that we don't bring them ashore. They are no good where there is nothing in them.

Q. Then you do not bring in everything you catch?—A. We bring in all except what are no good. When we get these very small lobsters we don't take them.

Q. How would it affect the fishery if we were to do away with the size limit altogether?—A. I don't think it would affect it much. If you keep an 8-inch limit it will put them out of business.

Q. But you do not keep that size limit; that is not observed at all?—A. If you take off the size limit altogether they are not going to take the smaller lobsters because they are no good. It would be just the same as it is now.

Q. What would be the effect of a regulation doing away with the size limit and limiting the open season for fishing to the 1st July?—A. It would be a small business, because it would be only 8 or 9 days and the run of the lobsters then is about 6 or 7 inches.

Q. During those 8 or 9 days the bulk of the fishing is really over?—A. This summer there are none at all; when we quit there was nothing.

Q. How is it in most seasons when you quit?—A. In most seasons it is a little better when we take up the traps, but not much better. The best fishing is in the spring, the month of May. After that it is slack, but coming on towards the last it is sometimes a little better. This summer it was still worse. If you give only 8 or 9 days more it would not make much difference with the small lobsters caught then. There is no good fishing then, and the fishermen will simply run into debt.

Q. How many fishing days do you have as a rule; do you begin to fish about the 10th May?—A. About 10th May and fish till 10th July.

Q. During that time how many days do you lose owing to storms and other causes; what is your average number of fishing days?—A. We lost about 10 or 12 days this summer.

Q. Did you suffer much loss from broken traps this season?—A. One of our boats lost over 100 traps. I lost 50.

Q. Is it to your knowledge that there is any combination among the canners here to keep down the price paid to fishermen; can fishermen go from one canner to the other?—A. I don't know anything about that. We are hired by wages and don't go around asking about other men's business.

Q. You are satisfied with what you get?—A. Yes.

Q. Do you think the fishermen, one with the other, would make more money if every man was allowed to can on his own hook?—A. Some of them would make money and some of them would not, because every man isn't a solderer. He has got to be a solderer to can lobsters. Some of them cannot do it and some of them can. In that way every man cannot have a license because he has got to have a solderer to solder his goods.

Q. Do you think that the hatchery here is useful? How long has it been in operation?—A. I don't know about that because I was not here when it first started. From what I heard the hatchery is doing good work. At the first part of the season the spawn is no good; I suppose because it is too new. When the lobsters are ready to spawn they bring them there and they are hatched out. For about three weeks at the last of it the hatchery is doing good work.

Q. You do not know whether the fishermen have already noticed that there are more lobsters in the neighbourhood of the hatchery or whether the young fish are more numerous than they used to be?—A. I have not noticed.

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Q. Would you recommend an increase in the number of hatcheries?—A. My opinion is that if they do keep on hatcheries they ought to have more or none at all. We have only one here, and there is a limit to the distance they can collect the spawn. As for the factories outside of that area, the spawn lobsters must go into the boilers because it is too far to bring the spawn. So in order to hatch out the spawn they ought to have more or none at all. The number that do hatch out their spawn does not correspond with what they boil in the boilers.

Q. Do you think it is right to take undersized lobsters?—A. I think it is this way: They cannot do business if they do not.

Q. Do you think it would be of any advantage to widen the space in the bottom of the trap, to put a greater distance between the slats?—A. In my judgment I think they are far enough apart now. If I had my way I would put them closer.

Q. Would you confine lobster fishing to a certain distance off shore?—A. Traps do you mean?

Q. Yes?—A. No, I guess they are just about right now where they are fishing.

Q. Would you say that we should fix a depth of water inside of which you should not fish traps after you have followed the lobsters right into shore from deeper water?—

A. I don't think it would be right to have a limit of water because some summers the lobsters act differently; they don't go inshore. Other summers they are near shore in two or three fathoms of water. If you confine it to four fathoms sometimes they will get few lobsters; half a mile farther there are lots of them.

Q. In what depth of water are the hoop nets fished?—A. They are generally fished from three to three and a half fathoms. They are very seldom closer than that, except when there is a big northwest wind and they are afraid of going adrift. Then they are fished sometimes in two fathoms of water.

Q. How many hoops will a man fish? You call them 'curlies,' do you not?—A. They fish from 15 to 20, I suppose.

Q. You do not fish them?—A. No, I do not fish them.

Q. Are they fished extensively all along the shore?—A. Yes, they are.

Q. What class of lobsters do they catch?—A. This summer it was about the same as the traps.

Q. You would not say they catch more berried lobsters, or smaller lobsters, than the traps?—A. They do some summers; last summer they did.

Q. Do you think it is only natural that the berried lobster should go into the warmer water to spawn?—A. Yes, I should judge that they do go close to the shore to spawn because when we have the traps close to the shore at the last of the season we do find more spawn on them.

Q. Then, what is your opinion about the hoop net fishing, do you think it hurts the fishery?—A. There ought to be a law to keep them from taking lobsters that are too small.

Q. Would the simplest way not be to abolish hoop net fishing?—A. I don't think it.

Q. You would allow it to continue?—A. I think it ought to be allowed to continue hoop net fishing.

Q. You do not think that the hoop nets hurt the lobster fishery more than the traps?—A. No, they do not, they ought to be allowed to fish.

Q. What is the best month for lobster fishing?—A. Generally in the spring. This spring it was the month of May. Last spring also I think it was in the month of May.

Q. What do you think about fall fishing?—A. I think it ought to be all right, there ought to be good fishing then. That is generally the way since I can remember. On the sea shore there was always good fishing late in the season, in August and September.

Q. Would you not say that if you have fall fishing, in addition to spring fish-

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ing, you are going to exhaust the supply of lobsters more rapidly; is not that burning the candle at both ends?—A. Not in one way. If the fishery was closed for a month at the time of spawning, then the rest of the fishery would be all right.

Q. At what part of the season would you take that month off?—A. From the 15th July to the 15th August.

Q. You would not allow any fishing during that time?—A. That is my opinion.

By Mr. Turgeon, M.P.:

Q. Do you not think it would be better to stop on the 1st July?—A. Maybe, it would be better, but from the 15th July to the 15th August would be my opinion of it.

By the Commissioner:

Q. Are live lobsters shipped from here at all?—A. Not that I know of.

Q. Are there any facilities for shipping live lobsters?—A. I don't know that.

Q. Is there anything else you would like to state for our information?—A. No, only about the spawn lobsters. I think if they were not allowed at all to bring them ashore, but bring them to the hatchery, it would be a good idea, because all that are brought to the shore are boiled. That is destructive to the fishery, I think.

By Mr. Turgeon, M.P.:

Q. You think that is the chief effort we should make, to save the berried lobsters altogether?—A. Yes. As far as bringing them to the hatchery, I think it is all right, but there ought to be a law, where there is no hatchery, not to bring them to the shore, but to keep them outside.

By the Commissioner:

Q. Of course, there is a law in existence?—A. Yes, but it is not followed.

By Dr. Sormany, M.P.P.:

Q. In your opinion, the hoop nets do not hurt lobster fishing more than the traps?—A. If the same conditions existed for hoop nets as for trap fishing they would not hurt any more.

Q. There are a good many hoop nets being fished?—A. A good many.

Q. Can you make a comparison between the number of lobsters caught in the hoop nets and the number caught in the traps?—A. Comparatively speaking, the number of lobsters caught in hoop nets is very small. I mean to say that fishing with traps, one boat destroys as many lobsters as one boat hoop fishing. A boat with 25 or 20 hoops would not destroy as many lobsters as one boat with 250 traps, in my judgment.

By the Commissioner:

Q. Are the fishermen engaged in hoop net fishing monthly wages men?—A. They buy their own hoops.

Q. And sell the lobsters by the hundred?—A. Yes.

Mr. J. W. WINDSOR.—Are not the hoops fished in a fathom of water?

The WITNESS.—I said from three to three and a half and sometimes two.

By the Commissioner:

Q. Are the hoop nets not fished inside that, in shoaler water still?—A. I was not there every night to find out. That is during the day time; I don't know what they do at night.

By Dr. Sormany, M.P.P.:

Q. Will one boat fishing with traps destroy less or more lobsters than a dory fishing with hoop nets?—A. The boat with traps will destroy a little more.

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Q. If the number of traps to each license was limited, would it not be better?—

A. Yes that ought to be limited. A license should not have 25 boats, for example. It should be limited that there should be so many boats to each license.

Q. And so many traps to each boat?—A. And so many traps to each boat.

By Mr. Turgeon, M.P.:

Q. What would you think of limiting the ground, say to two or two and a half miles, and others have similar privileges?—A. I cannot answer all that because if you did give it to some of these factories, an area of three miles, the others would have nothing.

By the Commissioner:

Q. If you limit the number of traps to a factory how would you decide the point, because some factories have much greater capacity than others?—A. I would like 250 to each boat.

By Mr. Turgeon, M.P.:

Q. How many boats?—A. To a license? I would say 5 boats ought to be enough to a license.

By Dr. Sormany, M.P.P.:

Q. What about a big factory employing 12 boats?—A. They would have to reduce their number to 5.

Mr. GEORGE WINDSOR.—The witness has suggested that there should be a limit of 5 boats and 250 traps to each factory. What is another factory going to do that employs 12 boats?

The WITNESS.—Reduce them to 5.

Mr. GEORGE WINDSOR.—But what is the canner going to do with all his traps?

The WITNESS.—They would not be lost; there would be room for them after the first two or three storms. When I lost some I could replace them by others from the store.

Witness discharged.

DOCITHE CHAISSON, canner, called and sworn:—

By the Commissioner:

Q. How many years have you been fishing?—I have been in the business for 20 years fishing and packing. I have fished at times and packed at times.

Q. Where is your cannery situated?—A. Abraham's village, on the coast.

Q. How many boats do you employ?—A. Three boats with two boats under contract.

Q. How many canneries are there in your district?—A. Only one.

Q. How many cases do you pack generally?—A. Between 250 and 300; 250 this season.

Q. What is the biggest pack you have made?—A. Three hundred cases last year.

Q. How do you find the fishing at present compared with past years?—A. My experience is that since I started in the business I have found an increase in the number of lobsters. There are more lobsters now than there used to be. For one cannery twenty years ago there are ten now.

Q. Then there are a good many more traps fished?—A. Yes.

Q. And a good many more lobsters caught?—A. Yes.

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Q. Is there any difference in the present size of lobsters as compared with former years?—A. They are about the same.

Q. What is your practice in regard to small and berried lobsters; do you take all the fishermen bring you?—A. Yes, I have always done that.

Q. Do you know the regulations?—A. Yes.

Q. You give your spawn to the hatchery?—A. Yes.

Q. Before the hatchery was built what did you do with the spawn?—A. I boiled the berried lobsters.

Q. What is the average size of the lobsters now?—A. From 7 inches up. Since 20 years it has taken six lobsters to make a pound. That is the average for 20 years.

Q. Do you know of anybody ever having been fined for not observing the regulations?—A. Yes, I was fined myself.

Q. For what reason?—A. For taking berried lobsters.

Q. Did that result in bringing about a change in your practice?—A. It did not make any change because the hatchery was built immediately after that. All the factories did the same thing; they all boiled their berried lobsters before the hatchery was established.

Q. What proportion of lobsters carry eggs?—A. A small proportion, four or five per cent.

Q. Is there any time in the season when you find the proportion big?—A. Yes, there is a time in the season after the 20th June when they are found in greater number. More are taken by the 'curlies' than by anything else. There are some places where they fish with hoop nets in a fathom and a half of water, and in those places they do a great deal of destruction by catching small lobsters and berried lobsters.

Q. Do you think the fishermen have adopted the practice here of washing or brushing off the eggs from the berried lobsters?—A. No, they give the spawn to the hatchery. I am pretty sure they would do so if they did not have to give them to the hatchery.

Q. Do you think there is any way of getting the fishermen to understand they should return the berried lobsters to the water?—A. If the law could be universally enforced, if all canners would agree not to take them, the fishermen would not bring them in. But for one that would follow the regulation ten would not do so. It is a simple matter to remove the eggs at any time in the season by striking the tail of the lobster on the water.

Q. Then you think the hatchery is a good institution?—A. Yes, it is a great benefit. It is doing very much good and but for it the spawn would be destroyed by the boiling of the berried lobsters.

Q. Is there any place in this neighbourhood where pounds could be established?—A. Yes, in Shippigan Gully.

Q. Do you think if the law was strictly enforced you could continue to pack?—A. I don't believe any factory could stand it, it would not pay.

Q. Do you think there are enough canneries in operation now?—A. Yes.

Q. Would you have any objection if a license was given to everybody who applied for it?—A. No.

Q. Then should we have some inspection to make sure that applicants for licenses could pack lobsters properly?—A. Yes. There would be more trash than well packed lobsters.

Q. How many years is it since canning was first introduced in this district?—A. I cannot give the exact date. It was begun before I have any recollection of the business, it may have been 40 years ago.

Q. Does it take six 8-inch lobsters to make a pound?—A. That is the average. Out of the lobsters I get my average runs six to the pound.

Q. What do you think of the idea to do away with the size limit altogether and shorten the open season to the 1st July?—A. The season is already too short. As it is we do not take many under seven inches.

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Q. In that case there is not much reason to have a size limit?—A. No, if the limit was 7 inches instead of 8.

Q. In that case would it not be just the same?—A. No, because the smaller lobsters are caught with hoops.

Q. What do you think of the idea of forbidding fishing inside certain limits?—A. I would approve that idea.

Q. What is the best month for fishing lobsters?—A. It is not the same every year. This year it was in the month of May and last year it was in June.

Q. What do you say to the month of July?—A. July is a good month because the lobster is very much bigger than in the spring.

Q. Are you in favour of a fall season for fishing?—A. It would suit some districts. In August lobsters could be fished by everybody.

Q. Do you think there should be an inspection in order to maintain the quality of the lobster packed at the cannery?—A. It would be a good thing.

Q. If no canneries were operated here what market would the fishermen have for their lobsters?—A. The fishermen would die of starvation.

Q. You are in favour of hatcheries?—A. Yes.

Q. Has the hatchery here been long enough in operation to demonstrate its benefits?—A. Yes, it has put a lot of lobsters into the sea.

Q. Have you any other opinion to offer?—A. I am against hoop net fishing. If that had been abolished since the hatchery was in operation there would be lots more lobsters to-day.

Q. How long have the hoop nets been fished?—A. A long time, but they are taking much smaller lobsters now than they used to. The lobsters they are taking are very small and it takes 14 or 15 to fill a pound can.

By Dr. Sormany, M.P.P.:

Q. If the regulations as to size and the taking of berried lobsters were strictly observed in the case of hoop nets, would fishing with them destroy the lobsters?—A. No.

Q. Do they take any lobsters in four fathoms of water?—A. Yes, they do and the lobsters are of the same size as in the traps.

Q. What do you think of the idea of limiting the number of traps to each license?—A. Yes, there should be a limit of so many traps to each license.

Q. In your opinion is the great number of traps now fished one of the great causes of destruction?—A. I think it is.

Q. If the regulation concerning berried lobsters were enforced and a limit placed upon the number of traps fished, would the lobsters increase in number?—A. Undoubtedly they would.

Q. Could you suggest a maximum number for the bigger factories?—A. For the bigger factories I would say 1,500 traps instead of 3,000 as they have now.

Witness discharged.

ALBERT ROBICHAUD, fisherman, called and sworn:—

By the Commissioner:

Q. The question has arisen as to the evil effects of what is called here 'curley' fishing, termed elsewhere hoop net fishing. You have fished 'curlies,' have you?—A. Yes.

Q. Do you fish them regularly every year?—A. Not regularly. I fished two summers.

Q. When did you begin to fish 'curlies'?—A. The last of May, I guess. We began about the 25th of May.

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Q. What depth of water do you fish in?—A. In the spring they fish in about 3 fathoms, then in 2 fathoms and then in 1 fathom.

Q. Do you notice any difference in the kind of lobsters you are catching when you fish for them in the spring; in 3 or 4 fathoms of water what do you find?—A. I find the lobster bigger when we fish far away in deeper water.

Q. And what do you find as you come inshore?—A. The lobster is smaller.

Q. And when you are fishing in one fathom what sort of lobsters do you get?—A. Five or six inches and some very scarce, some big ones.

Q. But the majority of them are of what size?—A. Five or six inches.

Q. Do you get many female lobsters with berries?—A. Not very many.

Q. Do the canners take these five or six-inch lobsters from you?—A. Yes.

Q. They do not raise any objection?—A. No, sometimes they kick about it, but they take them all the same.

Q. How many of these five or six-inch lobsters does it take to make a pound can?—A. It would take 20 of them for sure.

Q. And there are a great many of these 'curlies' fished?—A. Oh, yes, all along the shore.

Q. Do the same men who fish the traps fish the 'curlies'?—A. Some fish with both.

By Dr. Sormany, M.P.P.:

Q. Could there be any way of enforcing the regulations so far as 'curley' fishing is concerned, could they take 7 or 8-inch lobsters?—A. In the spring they could, but not later on. If they fish in three fathoms of water they take good-sized lobsters.

Q. Could they take them all the season through?—A. Yes.

Q. They could fish all the season from beginning to end in three fathoms?—A. Yes.

Q. Would they take as many?—A. They could not take so many.

By the Commissioner:

Q. Would it pay them if they were confined to three fathoms and not allowed to fish inside of that depth?—A. It would not pay them much.

By Dr. Sormany, M.P.P.:

Q. But if the fishermen take lobsters 5 inches long they are not worth much, they do not sell those?—A. If they pay \$1 a hundred for lobsters they take the small ones in size also. Along the shore they take more small lobsters.

Q. Do you not think that the canners should not be forced to buy these small lobsters? If you forbid 'curly' fishing that industry would be at an end whereas if you prohibit the canners from taking the small lobsters then the 'curley' fishing could continue but only take the good-sized fish?—A. Yes.

Q. If it does not pay them then they can give it up. The question is: If the packers were forbidden to buy these small fish would that not be a good protection against the destruction of lobsters by the 'curly'?—A. That is what I think.

Q. Would it be as good a protection as to forbid 'curly' fishing altogether?—A. Yes.

By the Commissioner:

Q. Did you not know yourself that it was against the law to take these small lobsters?—A. No, I heard it but did not know it personally.

Q. Do you think it is right to take these very small lobsters, do you not think it is ruining the fishery?—A. I don't think it is right.

Q. Then the fact is you would admit the regulations are not observed at all?—A. No.

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By Dr. Sormany, M.P.P.:

Q. At the factories?—A. At the factories.

By the Commissioner:

Q. Anywhere? There is no attempt made to enforce the regulations, the factory will take anything you bring them?—A. Yes.

Q. Has it always been that way?—A. Always, sir.

Witness discharged.

PIERRE X. PAULIN, fisherman, called and sworn:—

By Dr. Sormany, M.P.P.:

Q. How many years have you been fishing with hoop nets?—A. Since 8 years ago.

Q. Did you take lobsters as small as the preceding witness said?—A. No, In those days I took much bigger lobsters.

Q. Were there as many small lobsters then as there are now according to the previous witness?—A. No.

Q. But you fish as close to the shore?—A. Yes.

By the Commissioner:

Q. What depth of water did you fish in?—A. Sometimes three fathoms, sometimes two.

By Dr. Sormany, M.P.P.:

Q. Was the lobster that was caught then much smaller than the trap lobster?—A. There was not much difference. When they were broken, 100 lobsters gave 10 or 11 pounds of meat.

Q. You are a canner now?—A. Yes.

Q. What is the average weight per hundred?—A. 14 or 15 pounds of meat from 100 lobsters is the average in my factory now.

Q. In those days by following the regulations as to size and berried lobsters, do you think the fishermen could have made a living?—A. Hardly.

Q. Would the 'curley' fishermen have done as well as the trap fishermen observing the regulations?—A. Yes, and perhaps better.

By the Commissioner:

Q. Would it seriously interfere with the fishing if the use of 'curlies' were prohibited inside a certain depth of water?—A. It would prevent a good many men from earning a living. Some men could fish 'curlies' that could not fish traps.

Q. Would the prohibition of 'curly' fishing be an unfair restriction?—A. It would be unfair to some.

By Dr. Sormany, M.P.P.:

Q. Would it not be better to forbid the canners from buying small lobsters rather than prohibit 'curly' fishing altogether?—A. If the small lobster was brought ashore it would not make any difference whether it was bought or not, it would be destroyed just the same.

Q. Would the fishermen not throw the small lobster into the water if they could not sell it?—A. They might throw it in the water but not until it had been refused by the buyer and then it would be too late, the lobster would be dead.

Q. What do you think is the best way to help the lobster industry?—A. Just to leave the berried lobsters in the water.

Witness discharged.

Commission adjourned.

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TABUSINTAC, July 23, 1909.

WILLIAM WISHART, manager, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. About 30 years.

Q. To whom does this cannery belong?—A. W. S. Loggie & Co.

Q. Are there many other canneries in this neighbourhood?—A. There are none right around here except those of W. S. Loggie & Co.

Q. They are all the canneries of W. S. Loggie & Co.?—A. Yes, but inside the bay there are Savoy & Sewell.

Q. How many canneries would you say belonged to Mr. Loggie in this neighbourhood?—A. There are five from here to Lower Tracadie Gully.

Q. How many boats do you employ at this cannery?—A. Six.

Q. Manned by two men?—A. Manned by two men.

Q. And fishing how many traps each?—A. About 250, sometimes more, sometimes less.

Q. What number of hands are employed in the canneries?—A. That is on the shore, besides the fishermen?

Q. No, in this particular cannery?—A. We employ about 15 girls on an average and 3 men, 18 hands.

Q. What is the capacity of this cannery, what is it calculated to pack?—A. About 300 to 350 cases.

Q. How many did you pick this year?—A. 400.

Q. And last year?—A. Something about the same; 300 the year before that.

Q. Can you say whether the annual pack here is decreasing compared with the early days of the fishery?—A. Well, if anything, this factory cans more.

Q. Would you venture to speak for the other canneries?—A. This next factory, except this year, has canned more and more every year.

Q. Is that due to the fact that you are fishing an extra amount of gear?—A. No, it seems the lobsters come here better these late years. We do not fish quite as much gear.

Q. What sort of a trap do you fish with?—A. The ordinary trap.

Q. You do not fish the new trap, the parlour trap?—A. No, the ordinary trap is the one we use.

Q. It is not your opinion then that the supply of lobsters has been kept up by taking lobsters that formerly were rejected and using an increased amount of gear?—A. No.

Q. Is there more gear in the water now in this neighbourhood than when you began to be interested in the fishery?—A. There may be. I will tell you all the difference. There were two boats taken off and put down at the other factory. That makes the same amount of competition at the other factories.

Q. Are you fishing about the same number of traps?—A. Just about the same.

Q. Do the fishermen own the boats and gear or are they owned by the factory?—A. The factory owns it all.

Q. How are your fishermen engaged?—A. By the month.

Q. And what is the average monthly wage?—A. About \$24, \$48 for each boat.

Q. That includes what?—A. Just their pay. We have to board them.

Q. In addition to that?—A. Yes.

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Q. When does your fishing begin here?—A. About the 5th of May we canned this year, sometimes the 9th.

Q. What is your season in this part of the country?—A. We begin 20th April and knock off 10th July.

Q. You do not usually begin on the 20th April?—A. No, on the average about the 5th May.

Q. And when do you knock off?—A. We always fish up to the 10th July.

Q. What is your best month for fishing?—A. May.

Q. In what depth of water do you first fish?—A. Eight or nine fathoms.

Q. How far off shore?—A. About $3\frac{1}{2}$ miles.

Q. Then you move your traps in during the season?—A. Some seasons we do and some we do not. Sometimes we find they hang out there.

Q. What is the nature of the bottom here?—A. Rocky bottom.

Q. Do you think lobsters approach the shore for the purpose of spawning?—A. I think so.

Q. What would you say is the principal spawning month of the lobster?—A. July.

Q. Can you say whether the lobster spawns every year, or every second year or twice a year?—A. I think she spawns every year.

Q. Do you find lobsters bearing berries at all times of the season?—A. Yes, but not so many as at the last of the fishing. There are few at any time up here, that is in the season.

Q. When do you get the most berried lobsters?—A. The last of June and the 1st July.

Q. Can you tell what is the smallest sized lobster you have ever known to bear eggs?—A. Something like 8 or 9 inches.

Q. Is there any part of the season when you consider lobsters unfit for food, for instance when they are casting their shell?—A. I don't think then they are fit to eat at all. Sometimes I think in July they cast their shell.

Q. Could you give me any idea of the average size of the lobsters you find bearing berries?—A. About 9 inches.

Q. What percentage of the lobsters that are brought to your factory would you say bear eggs?—A. We tried it two or three times and about two lobsters out of 100 this year we chucked over. Now there is a certain time too after a storm one fisherman said he took 40 out of 400 lobsters.

Q. Do you know whether the practice of stripping or washing off the eggs from the female lobsters is followed by the fishermen in this neighbourhood?—A. These lobsters are all thrown overboard. We never handle berried lobsters, we take them right out of the trap.

Q. Is that a general practice along the shore?—A. Here it is.

Q. I suppose from the fact that the canners refuse to accept the berried lobsters the fishermen have learned to throw them overboard outside?—A. They do not get any count for them when they bring them ashore.

Q. Is there any hatchery in this neighbourhood?—A. No.

Q. Do you make a regular examination for the purpose of determining whether there are any berried lobsters delivered to the factory?—A. The orders are from the inspector and Mr. Loggie to take no berried lobsters. We follow out the orders as best we can. We throw them overboard but sometimes one make escape.

Q. It has been suggested that a good way of protecting the berried lobsters would be to save them and get them in pounds where they would be held until the close of the season; have you any idea whether that can be done here?—A. Yes, I think it could be done.

Q. Are there places along this shore where tidal pounds could be established?—A. Yes.

Q. What is the size limit in this division?—A. 8 inches.

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Q. The lobsters were measured this year, were they not?—A. They were measured twice, I think.

Q. By whom were they measured?—A. The fishing overseer, Mr. Simpson.

Q. What proportion of the lobsters taken here would be below the legal size limit?—A. Over half, as near as I can remember.

Q. What is the average size of the lobsters taken here?—A. I think it would be $7\frac{1}{2}$ inches.

Q. Do you get many large lobsters?—A. We get quite a few.

Q. Do you see any of the old time large lobsters that you used to see when you first began operations here?—A. Yes.

Q. You do occasionally get them?—A. Yes.

Q. If the present size of 8 inches were strictly enforced what effect would it have upon the canneries in this neighbourhood?—A. They would have to shut down.

Q. Do you think an increase in the number of canneries would result in an increased catch of undersized lobsters?—A. Yes.

Q. Would you favour any increase or decrease in the present size limit, having regard to the future of the industry?—A. No, I don't see how you could fish lobsters and make much change in the size.

Q. Has there been any noticeable decline in the average size of the lobsters caught in this district within the last ten years?—A. No.

Q. Would you say there has been any decrease since you first began packing?—A. It is likely they are smaller.

Q. Have you any idea as to the condition further back than that?—A. No.

Q. When did canning first begin here?—A. I think about 28 or 30 years ago, in fact they canned 35 years ago below here. That is before I knew much about it.

Q. Would you venture to say there has been a decrease in the average size of the lobsters within your recollection?—A. It would be more than I would like to say. As far back as I can remember it used to take 145 lobsters to 100 pounds, and it will take the same to-day. There cannot be much difference.

Q. What regulations were in force when you began?—A. Just about the same as there are to-day. At the very first there were no regulations, I think, as to the size at all.

Q. Do you think there is any particular reason why there should be different size limits on sections of the coast not very far apart?—A. I don't know of any particular reason.

Q. Is there any particular reason for having a smaller size limit in your district than in any other district?—A. No.

Q. Do you think it is in the interest of the continuation of the lobster industry that lobsters should be taken before they reach the age of reproduction?—A. No, I don't think they should be caught.

Q. Is it invariably a fact that the larger the lobster, the smaller number it takes to fill a one pound can?—A. Yes.

Q. What disposition is made of the lobsters taken here below the size limit?—A. They are canned.

Q. From what size do you can them?—A. Almost down to as small as you get them. We get some that are no good.

Q. What would you call no good?—A. Perhaps 4 or 5 inches. I never measured any of them. When they are that size they are only second class and usually we don't like to save them.

Q. It has been estimated that it takes nine 7-inch lobsters, which lobsters have never been afforded an opportunity of reproduction, to fill a one pound can. What is your experience with regard to the size of lobsters required?—A. About $7\frac{1}{2}$ to 8 inches. We have tried them here.

Q. That is what the size runs to here?—A. That is what it runs. Of course it is two years since I have tried them.

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Q. Would you favour reducing the size limit?—A. To get a smaller lobster?

Q. Would you make it legal to take a still smaller lobster?—A. Yes.

Q. Do you think if we reduced the size limit to 7 inches there would be any greater hope of the fishermen and the canners living up to the law than there is at present?—

A. I think they would. The run of lobsters is about 7½ inches.

Q. What would you say to abolishing the size limit altogether?—A. Having no limit at all?

Q. Having no size limit and then in lieu of that perhaps shortening the season?—A. I don't know which would be the best for here. I think the limit of size would be the best because when we get the rigging out we have such a short time to fish and it is so rough. Then there is such an expense that by the time you get to shore with your lobsters you have nothing. I think that along here to reduce the size limit and let the time run on would be best. It would stop the fishing altogether in these bays if you reduced the size and enforced it.

Q. Do you think it is possible to enforce the size limit regulation?—A. Oh, yes, it is possible.

Q. It would require an immense staff, would it?—A. Yes.

Q. You would need to have a man in every boat?—A. Pretty nearly a man in every boat.

Q. And a man in every factory?—A. Yes. It would be difficult to know what would be the best thing to do, to shorten the season or what.

Q. When is your best fishing month?—A. Mostly in May.

Q. Is it not the case generally that the fishing begins to slacken off before the end of the season, taking one season with another?—A. Yes. Some seasons it holds out and some seasons it does not.

Q. But generally it slackens towards the end?—A. Generally it slackens.

Q. Could a size limit of 10½ inches be maintained here?—A. Oh, no.

Q. Did you ever see any lobsters 10½ inches in size?—A. Three or four or five a day.

Q. Is it the case that canners are compelled to accept undersized or berried lobsters for fear of losing their fishermen who would, in the case of refusal to take illegal lobsters, sell them to canners less scrupulous?—A. It is likely that is the way of it.

Q. It does not occur here where your fishermen are all wages men?—A. No.

Q. How many pounds weight of green lobsters of each size would it take to fill a pound can?—A. It takes 425, say about 450 pounds, on an average of green lobsters for 100 pounds of meat. That is a lobster and a half in count to the pound weight in green lobsters.

Q. Have the regulations for the protection of the lobster, that is with particular reference to the size limit, ever been observed in this district?—A. Well it was watched pretty close.

Q. At one time, more so than now?—A. Yes.

Q. Now there is no attempt to enforce the size limit?—A. No attempt at all.

Q. At one time there was?—A. Yes, you had to be careful.

Q. You are of the opinion that a strict enforcement of the present regulations would mean the closing down of the canneries?—A. Yes.

Q. Do you think that the existing penalties, if strictly enforced, are sufficient to deter packers from violating the regulations?—A. Yes, I think they are pretty nearly enough. If a man was caught once or twice he would never attempt it again.

Q. Do you think the number of canneries has reached a maximum compatible with the preservation of the lobster industry, and should the issuance of further licenses be discouraged?—A. I think there are enough canneries licensed.

Q. Do you think that in the interest of the lobster industry it would be right to close down the canneries for some years, to shut off lobster canning altogether for a term of years, until the lobsters had time to recuperate?—A. I don't think it would do

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very well to shut it all down. A great many people have so much rigging on hand it would not be advisable.

Q. The Lobster Commission of 1898 recommended that temporary reserves should be established in various sections along the coast where fishing should not be allowed for a year or two, the location of such reserves to be changed from time to time?—A. That might be all right.

Q. Would it be possible to do that?—A. Yes.

Q. Do you think the present close season is satisfactory?—A. Yes.

Q. Would you suggest any change in the existing regulations?—A. No, I don't think I would.

Q. In your opinion would a reduction in the length of the open season be of advantage and have the effect of eventually increasing the supply of lobsters and perpetuating the fishery?—A. Yes, I think it would.

Q. It has been asked that fall fishing be allowed in some districts where, owing to the ice remaining on the coast, there is delay in commencing the fishing in the spring, what would you think about that?—A. I believe it would be all right to have a short season in the fall. There are places where they do not get out early in the spring.

Q. Is the present regulation restricting the number of canning licenses satisfactory?—A. Yes.

Q. A great many people think there should be no limit to the number of licenses, that there is no reason why one man should get a license and another should not?—A. Well, I don't think it. Supposing you build a factory right here and it costs \$2,000 or \$3,000 and I come and build another little one alongside of it and destroy your business? You have gone to great expense and another man comes and takes your business right from you. Of course that is the cry here, everybody is saying now that every man should get a license.

Q. What would be the result of giving a license to every man who applied for it?—A. The factories would be so thick they would have to do something to shorten the time and cut them out.

Q. Do you think that if a license were given to every man who applied for it he should be compelled to pack lobsters up to a certain standard of quality?—A. Oh, yes, you would have to do that.

Q. So the thing would about equalize itself in the end?—A. Yes.

Q. Do you think there is much inferior lobster meat packed at present owing to poor equipment?—A. Yes, a great deal.

Q. Lobster packing is the only thing that is not subject to inspection and the tendency of the day is to be more scrupulous in regard to food products and how they are put up?—A. I think the canneries should be inspected.

Q. Would the present staff of fishery officers in your opinion be competent to look after that inspection?—A. Yes, I think they would do.

Q. Would you refuse a canning license to an alien?—A. Yes, I would.

Q. Do you think the fishermen, one with the other, would make more money if allowed to can than they do by fishing?—A. I don't think they would, that is taking them on the average.

Q. Are there any co-operative canneries around here? There are some places where a number of fishermen have grouped themselves together and carry on canning, what we call co-operative canneries. There is a law providing for the incorporation of such unions of fishermen in Nova Scotia?—A. Well there are not enough up here in the bay. There are two fellows who can on that principle but they have a man hired to fish and one man to can the lobsters.

Q. Under one license?—A. One license and one factory.

Q. What is the price paid for lobsters here where they are fishing by the hundred?—A. It was about \$3 a hundred pounds for green lobsters this year.

Q. Are you aware of any complaints made by the fishermen that the price paid for lobsters by the canners is not satisfactory?—A. No, sir.

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Q. Is it to your knowledge that any fishermen have ever lost their catch of lobsters by the canners refusing to accept them?—A. No, sir.

Q. It has been alleged that in some instances the fishermen have suffered injury from the failure of the canners to operate their factories although a sufficient supply of lobsters was available. Do you know of any instance of that here?—A. No, I do not.

Q. Would the fishermen in this district find any market for their lobsters if the canneries were closed?—A. No, not in any quantity.

Q. There are no facilities here for the carrying on of the live lobster trade?—A. No.

Q. Are there any live lobsters shipped from this locality?—A. No, none.

Q. Do you think that the shipment of live lobsters should be favoured in preference to the canning industry?—A. It does not affect us here.

Q. How does the present price of lobsters compare with that paid years ago?—A. Well, last year was the highest price that ever was paid and this year it is a little less.

Q. Is that due to market conditions?—A. Yes.

Q. And when you first began fishing yourself what did you get for lobsters?—A. About \$9 to \$9.50 and \$10 a case.

Q. But as a fisherman what did you get?—A. Now they get \$3. The first lobsters I sold were for \$2.25, that was seven or eight years ago. Before that they were away down. I think the price was \$1.75.

Q. Have you anything to say about hatcheries?—A. No, I don't know anything about them, there are none in this neighbourhood.

Q. You think the plan of impounding the berried lobsters could be carried out here?—A. Yes, it could be carried out.

Q. Do you think that the traps now in use are the best ones that could be employed?—A. Yes, we find them so, we can't get anything better.

Q. What space is there between the slats in your trap?—A. About an inch.

Q. Is it the width of a lath?—A. No, less than that.

Q. I notice your hoops in the end are smaller than ours in the Baie des Chaleurs, ours run from 4½ to 5 inches in diameter?—A. Ours are less than that.

Q. What is the diameter of your hoop here?—A. About 3 inches.

Q. Do you think the number of traps fished by a cannery should be limited?—A. I think they should be.

Q. There is not much use limiting the number of canneries unless the number of traps is also limited?—A. No.

Q. What would you consider to be about a fair number of traps to be licensed?—A. To a license do you mean?

Q. Yes.—A. That would be to 100 cases? About 500 traps.

Q. Are 'curlies' used here?—A. No.

Q. Is trawling carried on here at all?—A. No.

Q. There are many places where the lobsters towards the close of the season go into bays, harbours and lagoons. Do you think that fishing in these places should be stopped?—A. Yes, I think that is the worst hurt that could be done.

Q. Is inside fishing done here?—A. Not right here but a few miles off.

Q. In the Magdalen islands there are lagoons, supposed to be the natural breeding grounds of the lobster, where no fishing is allowed.—A. They are allowed to fish here at the same time as we are.

Q. Is the close season strictly observed here?—A. Yes.

Q. At Shippigan and Caraquet fishing out of season and canning in the woods in private houses is said to be going on.—A. They may be canned one day after the season but not more. There may be a time come when the season would close on Saturday and you may have Sunday and Monday to finish up.

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Q. But I mean the practice of persistently fishing throughout the close season and canning in secret?—A. No, they don't do that at all, they have never done it here.

Witness discharged.

WILLIAM MCWILLIAMS, fisherman, Brantville, called and sworn:—

By the Commissioner:

Q. How long have you been fishing?—A. About nineteen years.

Q. What do you do when you are not engaged in lobster fishing?—A. Farm and fish smelts.

Q. Have you always carried on your fishing off this neighbourhood?—A. Yes, sir.

Q. Are there a large number of fishermen engaged in the lobster fishing in this district?—A. Quite a lot.

Q. What number of boats would you say are employed along this front?—A. About twenty-four.

Q. How far off shore do you begin to fish?—A. About $3\frac{1}{2}$ miles.

Q. In what depth of water?—A. About 8 or 9 fathoms.

Q. When do you generally begin to fish?—A. About May 5.

Q. Do you fish throughout the season in the same depth of water?—A. At times and there are times when we do not.

Q. You follow the lobsters?—A. Yes, follow them.

Q. Have you some seasons remained fishing at that distance?—A. Some seasons we have not moved any at all.

Q. Other seasons you find the lobsters come in and you have to follow them?—A. Yes.

Q. One season with the other I suppose it is the general rule that they do move in?—A. Generally.

Q. In your experience is the annual catch decreasing or otherwise, are you getting as many lobsters as you did when you began?—A. Yes.

Q. Of the same size?—A. Yes, of the same size.

Q. You think that the average run of lobsters has not diminished since you began fishing?—A. No.

Q. Are you fishing an increased amount of gear now to get the same weight of lobsters?—A. I may be fishing more gear, but I am getting more lobsters than I did.

Q. Has the number of traps fished increased considerably in this neighbourhood?—A. I don't think they have much.

Q. Is there any difference between the trap you now fish with and the one you used when you first began?—A. It is the same trap.

Q. Having the same sized hoop and the same sized opening?—A. Yes.

Q. Parlour traps are not used here at all; how does that happen?—A. No one ever tried them here I think.

Q. You fish by the month?—A. By the month.

Q. And the boats and gear all belong to the canners?—A. Yes, sir.

Q. It has been suggested that it would be a good thing to require the fishermen to take out a license at a nominal fee in the belief that they would be more apt to observe the regulations; do you think that you would do any better in that regard if you had a license in your pocket?—A. No, no better.

Q. What is your practice with regard to undersized and berried lobsters?—A. Heave them over; that is, the berried lobsters.

Q. Why do you do that?—A. To save them and not destroy them.

Q. Is that done voluntarily on your account?—A. That is our orders from headquarters, to heave them over

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Q. Is that order general in Mr. Loggie's canneries?—A. I think it is all around here that I know of.

Q. Then as to the undersized lobsters, what is done with them?—A. Any that is too small for use don't generally stay in a trap; they go out.

Q. What would you consider too small for use?—A. Between 5 and 6 inches.

Q. Lobsters under 5 inches you would not pretend to bring ashore?—A. No.

Q. How do the wages paid now compare with those paid when you first began to fish?—A. The wages are higher now.

Q. When you first began were you paid by the month?—A. Always paid by the month.

Q. You take these wages because you are satisfied?—A. I take them because I am satisfied.

Q. Are you aware of what the law is governing the fishery in this neighbourhood? When does the season open and close?—A. It is supposed to open 20th April and close 10th July.

Q. And then as to berried lobsters, the law is what?—A. To put them overboard.

Q. And as to the size limit, what is the law?—A. Take what you can get I suppose.

Q. That is the practice not the law?—A. I cannot tell you any more than that we are not to take more than 5 or 6 inches.

Q. Were you ever warned by the canner or fishery overseer?—A. We have been.

Q. Not to take anything under 8 inches?—A. Nothing under 9 inches I have been told.

Q. You take to the factory all you get in the trap, leaving out berried lobsters?—A. Yes.

Q. Do you expect the canner to take all these undersized lobsters?—A. Yes.

Q. What do you think is the spawning time of the lobster?—A. About July.

Q. What do you know about the berried lobster?—A. We find more berried lobsters in July than at any time.

Q. Do you think the eggs on the berried lobster are riper at that time?—A. I cannot tell very much difference. There are times when the eggs are not the same colour as at other times.

Q. Do you find lobsters that spawn all through the season?—A. A few, an odd one.

Q. You find more spawn lobsters at the end of the season?—A. More towards the end of the season.

Q. Do you think you find more spawn lobsters close inshore than you do when you fish in deep water?—A. There doesn't seem to be much difference.

Q. Do you think there is any part of the season when the lobsters are not fit for food?—A. I don't think there is during the season we are fishing.

Q. What is the smallest size at which you have ever noticed a female lobster bearing eggs?—A. I have seen them much smaller, I think, than 9 inches with eggs.

Q. What would be the average size of the egg-bearing lobsters here?—A. About 10 inches, I suppose. There are times when we get them a good deal bigger with eggs.

Q. One with the other, do you think they will run as large as 10 inches?—A. Between 9 and 10 inches.

Q. What would you think of the idea of saving all the berried lobsters, not throwing them overboard, and taking them to pounds where they could be held?—A. I believe it would be a good idea.

Q. Do you know anything about lobster hatcheries?—A. No, sir, I do not.

Q. Are there places in this neighbourhood where tidal pounds could be easily constructed?—A. Yes, sir.

Q. According to you the regulation affecting the berried lobsters is fairly well observed?—A. Yes, sir.

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Q. Is the practice of stripping or washing off the eggs from the female lobsters followed by the fishermen in this neighbourhood at all?—No, sir, not that I know of.

Q. The canner that you work for does object to your bringing in berried lobsters?—A. Yes, sir.

Q. But not undersized lobsters?—A. No.

Q. Is it an easy matter to cull out the lobsters when they are brought to the cannery as to their size and so forth; would it be an easy thing to enforce the regulations do you think?—A. I don't think you could do anything with it. I don't think it would pay to run factories here if you did enforce it.

Q. Would it be an easy matter to cull lobsters when they are brought to the factories as to the matter of size?—A. It would take a terrible time to cull them.

Q. If the canners refused to accept undersized lobsters would the fishermen throw them back into the water?—A. Yes.

Q. Do you know if it is the practice to avoid working for the canner who is strict in the matter of the size limit and the culling of lobsters?—A. I don't know.

Q. Are you aware of any fishermen having lost his catch of lobsters owing to the refusal of the canner to accept them?—A. No.

Q. What do you think about the regulation restricting the number of canning licenses?—A. I think there are enough at present.

Q. And what is your opinion in regard to the proposition to limit the number of traps that should be fished by a cannery?—A. I think what Mr. Wishart told you was all right.

Q. Would a great increase in the number of canneries result in an increased catch of small lobsters?—A. Sure.

Q. Do you know anything at all about the live lobster trade?—A. No.

Q. If the size limit were strictly enforced here would it put the canners out of business?—A. I believe that.

Q. What would you think of a regulation doing away with the size limit and in return shortening the season somewhat, would you bring in any smaller lobsters than you do at present?—A. I don't suppose a man would bring them in much smaller.

Q. Do you think that in exchange for doing away with the size limit it would be wise to shorten the season?—A. If the season was shortened it would hardly be worth while for a man getting out rigging, the spring is so rough.

Q. It seems that the greatest damage is done towards the close of the season by catching more small lobsters and berried lobsters, that is in places where they do not observe the law?—A. Here the fishermen are pretty careful as to that.

Q. You are not aware of any combination among the packers to keep down the price paid for lobsters?—A. No.

Q. Do you think the fishermen could make more money if they were allowed indiscriminately to can lobsters?—A. I could not tell you, I never studied up that.

Q. Would you favour any change in the size limit?—A. No, I don't know of any better regulation that there is now.

Q. And you have not noticed any great decrease in the average size of the lobsters during the last ten years?—A. No, sir, I have not.

Q. Do you think it is right, in the interest of the lobster fishery and its continuance, that immature lobsters should be taken before they are old enough to reproduce themselves? What would happen in farming if we were to kill off all the lambs and all the calves?—A. It takes a man some time to study what age they are when they are killed off.

Q. It is the exception to find berried lobsters under 8 inches?—A. They are very few.

Q. Do you think that a larger percentage of lobsters is required in the fall to fill a pound can than in the months of May or June?—A. I don't think it.

Q. Do you think that the fishing for lobsters should be kept farther out from the shore, that insisting upon not fishing inside a certain depth of water would be a good

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thing and protect the breeding lobsters?—A. We very seldom fish inside three fathoms here. There is not much difference in the fishing there as compared with the fishing outside, so far as the size of lobsters is concerned.

Q. The practice of fishing in shoal water has not been carried on here?—A. No, sir.

Q. Do you think that the practice of fishing in bays and lagoons and places where the lobsters evidently go in to spawn should be prohibited?—A. I think it should be if the lobsters go into those places to spawn.

Q. When is the best fishing time?—A. May.

Q. And I suppose up to the middle of June?—A. Yes.

Q. What would you think of the idea of shortening the season and removing the restriction as to the size limit?—A. I would not like to offer an opinion.

Q. It has been asked that fall fishing be allowed, what do you think of that?—A. I believe it will be all right in some places.

Q. All right for the canner or fisherman, but do you not think it will exhaust the supply pretty thoroughly if fishing in spring and fall is allowed?—A. It will help to kill them off quicker, sure.

Q. Is there any other statement you would like to make or any other opinion you would like to volunteer?—A. There is nothing that I can think of.

Witness discharged.

The commission adjourned.

ESCUMINAC, July 24, 1909.

II. E. FLILGER, packer, called and sworn:—

By the Commissioner:

Q. How far back does your experience of lobster canning go?—A. I had full control of a factory from 1898 till 1902, but before that I had supervised the packing for the last 22 or 23 years.

Q. What other canneries are licensed in your neighbourhood?—A. There are no others nearer than Escuminac Point.

Q. Do you can near the lighthouse?—A. Near the beacon.

Q. How many boats do you employ?—A. Generally two.

Q. Are the boats and gear your own?—A. Yes.

Q. How are the fishermen paid?—A. By the month. This year I have not any boats of my own. I bought the lobsters this year by weight from outside parties.

Q. You got the lobsters from anybody that would deliver them?—A. Yes.

Q. What is the capacity of your cannery?—A. The largest pack was 100 cases.

Q. What did you pack this year?—A. 52 cases.

Q. What number of people do you employ in your cannery?—A. This year there were 5.

Q. How does the fishing compare with what it was when you first went into the business?—A. There are not nearly as many lobsters.

Q. What difference is there to-day compared with olden times?—A. There are not nearly as many lobsters for one thing, and they are not nearly as large.

Q. To what do you attribute the diminution in size and the falling off in quantity?—A. Well, there were heavy storms some years ago. They claimed that was the reason; the first heavy storm came on in August and piled the lobsters on the shore right around the coast four or five feet high.

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Q. You think that was the cause of the diminution and not overfishing?—A. I do not think they were overfished along this coast.

Q. Originally were the lobsters very much larger in size than they are now?—A. Yes, considerably larger.

Q. Up to the time of that storm had there been any appreciable diminution in the supply?—A. No.

Q. Did you notice the year after that there was a great falling off?—A. Yes.

Q. And the decline has kept up ever since?—A. Up to within this last few years. They have been better this last five years than for the two years previous to that.

Q. That is at Miramichi bay you mean?—A. Speaking of the shore along here.

Q. From within what radius do you draw your supply?—A. I suppose within a few miles.

Q. Have you any idea of the depth of water in which the fishermen fish?—A. Five to seven fathoms.

Q. From your observation as a canner, what do you consider the spawning season for lobsters to be?—A. The middle of July to the middle of August.

Q. Do you believe that the lobsters come close inshore for the purpose of spawning?—A. In some cases.

Q. Have you had any experience with regard to egg-bearing lobsters; what is the smallest sized lobster you have seen carrying eggs?—A. Seven inches I would say.

Q. Have you seen many that size do you think?—A. No.

Q. What would be the average size of those lobsters that carry their eggs outside?—A. I would say between 8 and 9 inches.

Q. Do you consider there is any part of the season when lobsters are not fit for food purposes?—A. I guess part of July they are not.

Q. That is when they are soft shelled?—A. Soft shelled, that is my opinion.

Q. Could you give me any idea of the percentage of lobsters bearing eggs that are taken in traps?—A. I could not.

Q. Do you know if the practice of stripping or washing off the eggs from the female lobsters is practiced by the fishermen in the neighbourhood?—A. Not to my knowledge.

Q. What is the practice with regard to berried lobsters; are they brought to the factory?—A. The fishermen throw them overboard as far as I know.

Q. Do you accept them at the factory?—A. I do not.

Q. Have you warned the fishermen not to bring berried lobsters to you?—A. I have.

Q. Have the local fishery officers visited you occasionally?—A. Yes, quite frequently.

Q. Has it been your practice to make any examination for the purpose of determining whether berried lobsters are delivered at the factory or not?—A. I always overhaul them.

Q. What is the size limit in this division and when does the fishing season open and close?—A. The size limit is 8 inches. The season opens on the 20th April and closes the 10th July.

Q. When do you really begin to fish, as soon as the season opens?—A. As soon as the season opens?

Q. Do you fish in April?—A. There have been lobsters taken on the 23rd or 24th April, but that is unusual.

Q. One season with another, when does the season usually begin?—A. The 1st May.

Q. And do you can right up to the close of the season?—A. Yes.

Q. What proportion of the lobsters taken in the traps or brought to the factory are below the legal size limit?—A. I could not say.

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Q. Would you say a considerable portion?—A. I would not say there was a large proportion to my knowledge from the limited number that we pack.

Q. There are some lobsters taken that are below the size limit?—A. Yes.

Q. Do you as a rule take all that are brought?—A. No, I do not.

Q. You do refuse to take the lobsters under a certain size?—A. I refuse to take the small ones, yes.

Q. Do the fishermen not grumble about that where they are being paid by weight?—A. Yes, they do.

Q. If the size limit were strictly enforced what effect would it have upon you as a canner?—A. Not very much I think. Perhaps where they handle large quantities the packers might have to go out of business, but where the pack is only 50 cases, I don't think so.

Q. Would you favour any increase or decrease in the size limit?—A. I would favour a decrease to 7 inches.

Q. Do you think the fisherman or canner would be more likely to observe the law if the size limit were placed at 7 inches than they are at present with an 8-inch size limit?—A. I think that lobsters at 7 inches could be taken for canning purposes.

Q. Do you think that lobsters are fully developed at 7 inches?—A. Not fully developed.

Q. What must be the effect if lobsters continue to be taken before they have reached the age at which they can reproduce themselves?—A. What I am speaking of now are the non-berried lobsters.

Q. Even so, whether berried or not, do you not think the practice of taking immature lobsters, one-half of which I suppose would be females, will be destructive?—A. I think the main part is to protect the berried lobsters.

Q. You do not think it makes any difference about taking the small lobsters?—A. Not very much, not as much as the others.

Q. When was lobster canning first introduced in this neighbourhood?—A. I think about the year 1856.

Q. And has the business gradually increased from that time down?—A. Now there is just the same number of canneries along the shore with the addition of two more at Escuminac Point.

Q. There has been no increase in this neighbourhood?—A. Not this last 25 or 26 years.

Q. Within what distance of here would that be?—A. Four or five miles.

Q. Can you remember what regulations were in force when the canning first began?—A. I don't think there were any regulations.

Q. Do you think that the average size of the lobster is as great to-day as when canning first commenced?—A. No, I think not.

Q. You said a while ago that you thought the decrease in size was the result of a big storm which destroyed the lobsters; is that the only cause which has operated?—A. No, it may have been overfishing. Still there never were any more than 500 traps fished along this shore, that is from here to Escuminac Point.

Q. The bulk of the fishery has always been outside of that?—A. Outside of that.

Q. Do they get lobsters off Escuminac Point before you do here?—A. Yes.

Q. How many 7-inch lobsters will it take to fill a pound can?—A. I could not say anything about that.

Q. Do you know how many 8 or 9-inch lobsters it will take, have you ever kept any record of that?—A. No, they were all of one size that we put in the can. I don't suppose we ever kept a record. Of course they were not all 9-inch lobsters that were broken and put in the can.

Q. You say you would favour reducing the size limit to 7 inches?—A. I think I would.

Q. Do you think it would be better to abolish the size limit altogether?—A. No.

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Q. Do you think it would be possible to abolish the size limit and shorten the season somewhat to compensate for that?—A. It might, the lobsters seem to be improving around here since the season was shortened four or five years ago. My own opinion would be to do away with the size limit if the season were shortened.

Q. Would it materially affect the fishery here if the season were closed on July 1 instead of the 10th; is it not the case that the fishery begins to slacken off towards the end of the season?—A. It used to in former years, but last summer, a year ago, the best fishing was right at the time of closing.

Q. There may have been some cause at work that kept the lobsters back so that they did not come in at the early part of the season, but one season with another they generally come in pretty regularly?—A. This year on account of storms they slackened off about a week or ten days before the season closed.

Q. Have you any idea how many pounds weight of green lobsters it takes to fill a pound can?—A. Four and a-half to four and three-quarters with us, that is shell and all.

Q. Is there any improvement in the practice with regard to taking berried lobsters, are the fishermen becoming aware of the fact that it is most important to preserve these lobsters?—A. Some of them are.

Q. Do you think the existing penalties, if they were enforced, are sufficient to deter the packer from violating the regulations?—A. Yes.

Q. Do you believe that any one who applies for a license to can should be granted the privilege?—A. Yes, I think they should. I think that if any man wants to go into lobster canning and lose or make money he should have the privilege of doing so.

Q. What do you think would be the result of the indiscriminate packing of lobsters? Do you think there would be a good deal of bad product put up?—A. Not now; I do not think it. People seem to understand the business a great deal better than they did in former years.

Q. Then you would favour issuing a license to any one that asked for it without discrimination?—A. Yes.

Q. It has been suggested that the best way to protect the fishery would be to close down for a number of years; what would you think of that?—A. I would not advise it at all.

Q. During what period of the open season is lobster fishing most actively prosecuted here?—A. Generally in the first part of the season, in the month of May. Sometimes in June there is a good run of lobsters, about the best.

Q. Are berried lobsters more abundant, or do you see more of them, at certain times of the season than at other times?—A. I have seen very few of them this year.

Q. Do you think there is any one part of the season when more berried lobsters are taken than at another?—A. I would say about the latter part of May there seem to be a few more.

Q. Should the product of the canneries be subject to inspection?—A. I don't think it is necessary in the canning business, because the lobsters are generally put up fresh and clean.

Q. Do you think that if the meat is prepared on tables that are not kept scrupulously clean it will deteriorate and decay?—A. I suppose if they don't look after that.

Q. Are the tables kept as clean as they should be in all instances?—A. I think so, as far as my experience goes.

Q. What would you think of issuing a license to an alien?—A. I would not approve of that at all.

Q. Do you think the fishermen would make more money if allowed to can indiscriminately?—A. I would not express an opinion upon that either.

Q. What do you pay for lobsters?—A. The price started at \$1.75 a hundred pounds and went to \$2.50.

Q. The rise began this season?—A. Yes.

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Q. What was the cause of the rise?—A. Competition I suppose.

Q. Have you any idea of the wages paid to those who fish by the month?—A. I have no men engaged by the month.

Q. Are the fishermen complaining at all that the price paid by the canners is not satisfactory?—A. Not to me.

Q. Are you aware of any fishermen ever having lost their catch of lobsters by the canners refusing to accept them?—A. No.

Q. Would the fishermen in this district have any other market for their lobsters if the canneries were closed?—A. Not for their whole catch delivered to the market at Loggieville and Chatham for fresh lobsters.

Q. Are there any facilities here for the exportation of fresh lobsters?—A. There are no facilities here for doing that.

Q. Have you any idea which is the most remunerative branch of the industry to the fishermen—the fishing of live lobsters or the canning?—A. No, I have had no experience of that.

Q. What are live lobsters worth in this neighbourhood?—A. They are not sold alive.

Q. Are the lobsters boiled and shipped?—A. Boiled and shipped.

Q. What are they worth when they reach the market?—A. I have not shipped any that way.

Q. Have you any experience of hatcheries in this neighbourhood?—A. No.

Q. Are you in favour of establishing them?—A. Yes, if it will increase the number of lobsters.

Q. Do you know anything about the practice of placing berried lobsters in pounds and holding them there until the close of the season?—A. No.

Q. What do you think of that idea?—A. It would be a good idea.

Q. Are there any places on this coast suitable for pounds?—A. There would have to be some sheltered place clear from storms.

Q. What kind of trap is used in this locality?—A. It is an ordinary trap.

Q. The old-fashioned trap with an opening at both ends?—A. An opening at both ends.

Q. You don't see what is called the parlour trap with one end closed and an opening in the side?—A. There might be a few; not many.

Q. Is there anything else you would like to add to your testimony?—A. As to the number of lobsters that used to be on this coast in former days I remember hearing my father speak of coming down here some years ago. He had been canning salmon up the river and there were three of them—he, his brother and another man. With the aid of gaffs, poles with a gaff at the end of them, they caught and put up 600 boxes of lobsters in September. Now you could not get 100 boxes with all the traps on the shore. The first year that we fished traps along the shore we got over 3,800 lobsters in one day out of 250 traps. Now I cannot get that number in a fortnight. In 1901 I had two boats with 500 traps and all I got was 42 boxes. The next year I had one boat and got 50 boxes. Instead of keeping on canning then I let it go and the lobsters have gradually been getting better since, but this year they were not quite so good.

Q. Do you desire to say anything further?—A. No, I think you have covered the ground pretty well.

Witness discharged.

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GREGORY MCGRAW, fisherman, Escuminac, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. Thirty years.

Q. What do you do when not engaged in fishing lobsters?—A. A little of everything.

Q. Do you do any other fishing?—A. Sometimes a few to eat.

Q. On what part of the coast have you fished?—A. On this part of the coast, from Escuminac Point up to this.

Q. Is there such a thing as a Fisherman's Union here?—A. Not yet.

Q. Who have you been fishing for lately?—A. Fishing for myself.

Q. And selling your catch?—A. Yes, sir.

Q. Where did you sell your catch?—A. To all the packers.

Q. In what depth of water do you usually go into to fish in the spring?—A. Six fathoms.

Q. How far off shore is that?—A. I suppose about two miles.

Q. Do you continue to fish in that depth of water all through the season?—A. No, we move into four after the——

Q. About when do you generally move in?—A. About the 15th of June.

Q. What guides you in the matter of moving in, the state of the fishing?—A. Yes, I follow the fish.

Q. As soon as you find the fish slacking off in deep water you follow them in?—A. Yes.

Q. Do you make more than one move?—A. No.

Q. What is the shoalest water in which you fish?—A. Four fathoms.

Q. Is there any fishing down here with hoop nets in shoal water?—A. Not that I know of.

Q. Around Shippigan and Miscou there is a great deal of that done with 'curlies'?—A. There is none of that here.

Q. And there is no trawling?—A. No trawling along the shore at all.

Q. When do you usually begin to fish?—A. The 1st of May.

Q. And how long do you continue to fish?—A. Until the 10th July.

Q. What is your experience as to the annual catch, is it as good now as when you first began to fish?—A. I think the last summer it was as good as ever I saw it.

Q. That was with regard to quantity or quality?—A. Quantity, the number of fish.

Q. Was it as good a run as you ever had?—A. I would not say it was quite as large.

Q. Do you think a stage in the fishery has been reached when the decrease has been stopped, have you noticed in the last few years that your run of fish is improving or keeping about steady?—A. I think the last five years they have increased a good deal.

Q. Have you ever thought of that or attributed it to anything?—A. I got all I could and got clear of them as quick as I could. That is all I thought of.

Q. What number of traps do you fish?—A. When I fished on wages I fished sometimes 300. Since I have been fishing for myself I don't fish over 100.

Q. Do you think that the number of traps fished in this district has increased in recent years?—A. No, not many to speak of.

Q. I do not mean the traps for this cannery here, but around this part of the coast generally?—A. I think not. It is just about the same as it always was.

Q. Has there been any increase in the number of canneries in recent years?—A. No.

Q. Is there any difference in the trap you fish now and the style of trap you used when you began?—A. I fish the same trap.

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Q. What is the space between the slats?—A. An inch.

Q. Was it always that?—A. Always that.

Q. What is the size of the hoop in the end?—A. Six inches.

Q. That is a pretty large hoop?—A. Yes, but we want to get the big lobsters.

Q. Most of those we saw on the north shore were not more than three inches.—A. Some may make them small, but I always like a big hoop.

Q. You own your own boat and gear?—A. Yes, sir.

Q. It has been suggested that for the better control of the lobster fishery, the fishermen should be required to register and take out a license, so that only licensed fishermen should be allowed to fish for lobsters. Those advocating that plan think it would tend to make the fishermen more careful in their observance of the law and more likely to inform on others who are not so careful. Do you think the fact of the fishermen being registered would make any difference?—A. I would not say anything about that at all.

Q. How does the price paid for lobsters now compare with that paid when you first began to fish?—A. Well the price this year, we did not get any price at all; we gave them away.

Q. How was that?—A. In other years we used to get \$2.50 a hundred and they would collect them. This year we got \$2.50 a hundred weight and delivered them.

Q. What was the reason of that change?—A. The price of lobsters was down, I suppose.

Q. When you first began to fish lobsters what did you get?—A. \$2.50 since I began to fish them myself.

Q. When you first went into the lobster fishery what was the price per hundred?—A. I could not tell you, it was all wages by the month.

Q. In the early days also?—A. Yes. Some men fished by the hundred, but they were found in rigging and boats. My first start out was 40 cents a hundred and I was found in everything.

Q. Is there any competition, or are you forced to accept a certain price?—A. We have got to take it or leave it.

Q. Is there any combination on the part of the canners to keep the price down?—A. I think they all followed the same tale pretty well this spring.

Q. I suppose that when prices are up there is more competition than there was this year?—A. Yes.

Q. What are the regulations governing the lobster fishery?—A. We open on the 1st of May and close on the 10th July.

Q. What is the law with regard to berried lobsters?—A. Chuck them overboard.

Q. What is your practice?—A. Shove one in if you can when you go into the shore with your boat. If the canner sees it chuck it over.

Q. Do you think that the regulation for the preservation of the berried lobster is observed among the fishermen?—A. I don't think it is a bit of good. If I chuck it over out of my boat, the next day another fellow will have it in his boat.

Q. What is the size limit supposed to be here?—A. 8 inches on this coast.

Q. Is that regulation observed at all; do the canners and fishermen confine themselves to 8-inch lobsters?—A. Not exactly; there are a good many smaller ones.

Q. Then, practically, you take to the factory everything you catch?—A. No, I have often chucked small ones away.

Q. Would you expect a canner to take all the lobsters you bring to him regardless of whether they were undersized or not?—A. I think so. If he would take them I would have the right to give them.

Q. You have had a good many years experience in handling lobsters, what do you think of the spawning season?—A. That is a kind of a puzzle. I think the whole season through.

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Q. You find lobsters with berries attached the whole season through?—A. Yes, sir, from spring to——

Q. Do you notice a difference in the appearance of the eggs as the warm weather approaches?—A. I think July would be the ripest time I have ever known.

Q. You find berried lobsters all through the season?—A. All through the season.

Q. Do you find any more during any particular season?—A. I have never noticed.

Q. How many lobsters out of a hundred bear berries?—A. I could not say.

Q. Is the percentage of berried lobsters large or small?—A. Very small.

Q. Most of those who have cared to make a statement have put the quantity at not more than three per cent. Do you get more when you shift in than in the early spring when you are out in deeper water?—A. Not many I think.

Q. You have not noticed any difference?—A. No.

Q. You do not find any more spawn lobsters close into shore than you do in deep water?—A. No.

Q. Do you think there is any time of the season when the lobsters are not fit for food, when they should not be used?—A. I never thought of that.

Q. During the time when the lobster is casting his shell for instance?—A. They are so seldom caught around this coast that they are not worth noticing.

Q. Have you ever remarked what is the smallest sized lobster you have ever noticed bearing eggs?—A. I would not like to say; I have never noticed.

Q. Could you give me any idea of the average size of the lobster that bears eggs?—A. You will mostly see them a good sized lobster.

Q. Do you think you ever seen them less than 8 inches in size with eggs on them?—A. I would not like to say I did.

Q. I suppose you will admit that the seed lobsters should be saved and not destroyed or wasted?—A. Yes.

Q. What would you think of asking the canner to pay a larger fee than he does at present and in that way establishing a fund so that the seed lobsters should be bought from the fishermen and taken to a hatchery or placed in pounds?—A. I would say that would be all right.

Q. Do you think it is possible to persuade or educate the fishermen to throw the seed lobsters overboard and not to destroy them?—A. I think so, yes.

Q. Do you think the fishermen are more careful to-day in regard to saving and protecting the berried lobster than they used to be?—A. I think they are more careful.

Q. What would you think of reducing the size limit to 7 inches?—A. It would suit me fine.

Q. Do you think the fishermen would be more likely to observe the law if the size limit were put at 7 inches than if it were left at 8?—I think so. I think our smallest catch is about 7 inches.

Q. You do not see any smaller than that?—A. Not much below that.

Q. Would a 7-inch lobster get out of your trap?—A. A 6-inch one will go every time.

Q. Do you think the small lobsters do escape from the traps very much?—A. Lots of them.

Q. What change would you suggest in the present regulations?—A. I don't know that I would make any.

Q. Is the practice of stripping or washing off the female eggs followed in this neighbourhood?—A. I never did it and I never saw it done.

Q. Have the cannerymen in this neighbourhood ever objected to accepting berried or undersized lobsters?—A. Yes, they have.

Q. Do you think they make any examination for the purpose of detecting small and berried lobsters?—A. I could not say what their practice is.

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Q. Do you think that when a large number of lobsters have been brought to the cannery it is easy to make an examination so as to detect those that are undersized or berried?—A. I would not like to say much about it.

Q. Where 5,000 or 6,000 lobsters are brought in and thrown in a heap would it be an easy matter to cull them out?—A. Not very easy.

Q. If the canners refused to accept undersized and berried lobsters, would it have the effect of inducing the fishermen to return them to the water?—A. Yes.

Q. Do you think it is the practice to avoid dealing with a canner who is known to be careful on this point; do you know anything as to that?—A. No.

Q. Have you ever known one canner to be more scrupulous than another?—A. They have all got about the same song on this coast.

Q. Do you think it would be possible to buy the berried lobsters from the fishermen and place them in pounds?—A. I think so. There is no trouble in bringing them ashore all right.

Q. Are there places anywhere along this coast, within a reasonable distance, where the berried lobsters could be saved and held in pounds?—A. This bay is the only place I know of.

Q. Are the lobsters living there now?—A. Yes.

Q. Are you aware of any fisherman having lost his catch of lobsters through the canner refusing to accept them?—A. No, sir.

Q. What do you think about the present regulation which restricts the number of canning licenses, is it satisfactory?—A. No, I do not think so.

Q. What regulation would you favour?—A. I would like to have a license myself.

Q. A license to can? Have you ever tried to get one?—A. No, I have not.

Q. Would you favour issuing a license to every man that applied for one?—A. I would.

Q. Would that not necessitate some inspection with regard to the quality of the product packed and the manner in which the meat is put up?—A. I could have as good a packer as any other factory.

Q. Would there be any market here for lobsters if the factories were closed?—A. No market except the local market.

Q. Do you think that an increase in the number of canneries would result in an increased pack of undersized lobsters?—A. Well, I would not think so.

Q. Do you think we ought to limit the number of traps fished by any canner?—A. I think they are pretty well limited when a man fishes 250 traps.

Q. Do you think it would be right when issuing a license to a canner to limit him to a certain number of traps?—A. I would say it would.

Q. How many traps do you think we ought to limit a canner to?—A. It would be the number of boats you would have to limit.

Q. Then we would have to limit the canner to a certain number of boats and a certain number of traps?—A. That might result in a saving of lobsters.

Q. What do you think of the suggestion to close down for a number of years?—A. We would starve.

Q. It is said in some districts that the canners could not continue in business and observe the law regarding size limit, what do you think of that? Do you think that if the 8-inch size limit were strictly enforced it would put the canners out of business?—A. I think they would have to capture a few small ones.

Q. You think they would not be able to continue packing even with the 8-inch limit if it were strictly enforced?—A. No.

Q. What percentage of lobsters are taken here below the 8-inch limit? In some places they say as much as 50 per cent?—A. There is nothing like that here.

Q. Do you think there is any understanding on the part of the canners to keep down the price paid to the fishermen or is there competition among them?—A. They just pay what they like.

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Q. And the fisherman is obliged to accept it?—A. Yes, the fisherman has got to take it. All the canners will put their heads together and make a price.

Q. Do you think they live strictly up to a bargain of that kind?—A. Pretty well, it is pretty well fixed.

Q. When you first commenced fishing was the average size of the lobsters greater than it is to-day?—A. Yes, there were some larger.

Q. To what cause do you attribute that decline in size?—A. Well maybe the big ones kept the little ones away from the traps and the big ones were caught more.

Q. Is there any reason why the size limit should be smaller in one district than in another; were the lobsters not originally pretty much the same run?—A. I would say so.

Q. Do you think that in certain localities there was a smaller species of lobsters than in some others?—A. I could not say. I have never been fishing except on our own coast.

Q. Do you think it is in the interest of the fishery generally that lobsters should be taken before they have reached maturity? If you kill off the lambs where are you going to get your sheep?—A. We let the lambs go.

Q. Should you not let the small lobsters go also?—A. We do let the small lobsters go.

Q. In regard to the traps, has the opening between the slats been made any narrower since you first began to fish?—A. No, sir.

Q. It has remained as it always was, about an inch?—A. About an inch—some a little more and some a little less. Some fellows are not particular in nailing on the laths; it may be a little closer or a little wider.

Q. When do you get most of the lobsters?—A. From the 10th May to the 15th June, that is commonly the best lobster season.

Q. What would you think of doing away with the size limit altogether and to compensate for that shortening the season somewhat?—A. The season is pretty short as it is.

Q. What would you think of doing away with the size limit and cutting the season off at the 1st July?—A. As far as I am concerned that would suit me all right.

Q. The general feeling is that it is towards the close of the season the greatest harm is done?—A. Well, I could not say. There are no more berried lobsters in July than there are in May, or no more small ones.

Q. What would you think of allowing fall fishing?—A. I think it would be pretty cold on the hands to have it any later and there would be rough weather.

Q. Are there any live lobsters shipped from this district?—A. I have shipped some cooked ones.

Q. Shipped them to Chatham and Newcastle?—A. Yes.

Q. What was the average price received for them?—A. As high as 10 cents apiece.

Q. What class of lobsters do you generally send there, not very small ones?—A. From 9 inches up.

Q. You would not send any below 9 inches?—A. No.

Q. There are no facilities here for shipping lobsters to the large markets?—A. No, sir.

Q. You think that in the matter of getting a license one man ought to be as good as another?—A. Yes, sir. If he cannot make a living that way let him quit.

Witness discharged.

HOWARD ALLAN, fisherman, Escuminac, called and sworn:—

By the Commissioner:

Q. You heard the evidence of the previous witness and noted what he said?—A. Yes; I approve of what he said.

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Q. Do you wish to add anything?—A. I think if the fishermen here would put their traps out the last of July and fish the balance of the season it would be better for the lobsters

Q. How about the spring fishing?—A. I would say not to fish in the fore part of the season, but to begin now. Let them put their traps out now and fish in the fall; I think it would be better for the lobsters.

Q. What is your reason for making that suggestion?—A. I think the lobsters make for the coast to lay their eggs.

Q. And they are laid by what date?—A. I think the lobsters are pretty well through spawning now. That is my opinion.

Q. What you suggest might do in a good many places where there is suitable shelter, but over the greater part of the coast it might be impossible to fish in the fall? —A. It is rougher here, too, but I certainly think it is better for the fish.

Q. There would not be as many spawn lobsters destroyed?—A. I do not think so.

Q. In the event of fishing in the fall you would not fish in the spring?—A. Would not fish in the spring. Then I think we ought to have a license.

Q. You think that anybody that applies for a license ought to be allowed to have one?—A. I think so.

Q. Would you be in favour of limiting the number of traps fished by a cannery? —A. No, I would not be in favour of that. I think they have a right to fish what they want.

Q. Is there anything further you would like to say?—A. No.

Witness discharged.

JOHN STEWART, factory employee, Escuminac, called and sworn:—

The WITNESS.—I have been canning at Escuminac Point and at Pictou, Nova Scotia.

By the Commissioner:

Q. For how long?—A. I was six summers at Pictou Island?

Q. For Burnham and Morrill?—A. No, sir, for McClure. They used to take the spawn off the female lobsters and convey it in a little boat to the hatchery. That is the way they preserve the spawn down there.

Q. Is it your opinion that the hatchery has done good in that neighbourhood?—A. They claim that it does good. The fishermen always were in favour of it.

Q. Is it the custom there to observe the legal size limit?—A. They do not make any difference. I was there six years and only saw the officer come once. The owners of the factory were there themselves and they looked after the spawn. It was removed from the lobsters and taken to the hatchery.

Q. The spawn was saved there?—A. Yes. There it is not so hard to do.

Q. And your opinion is that here the spawn is destroyed and lost?—A. Certainly it is.

Q. Do you think there is any attempt made here to protect or preserve the spawn lobsters?—A. There was this year. I know the head man at the shop I worked at gave the fishermen orders to throw the spawn lobsters overboard.

Q. In whose cannery was that?—A. W. S. Loggie's.

Q. What is the practice here with regard to small lobsters?—A. They took all they could get in the factory I worked for.

Q. What would you say as to the proposition that the size limit should be withdrawn altogether and in return for that slightly shorten the season?—A. I don't know about that.

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Q. Have you any idea as to when most of the berried lobsters are taken?—A. Coming on the last of the season.

Q. Do you not think it is pretty safe to say that towards the end of the season you also get a larger percentage of small lobsters?—A. You do.

Q. So that if you cut off any time at the end of the season you do more to protect the fishery?—A. There are more spawn lobsters then. In the spring, the early part of the season, there is a very odd one.

Q. You find berried lobsters during all parts of the season?—A. Yes, but not so many as at the latter part.

Q. Do you think it would be a wise thing to do away with the size limit?—A. Anything under seven inches I think is hardly worth canning. It takes more time and it takes such a quantity of them; there is no meat in the very small lobsters.

Q. You would be in favour of establishing a hatchery in this neighbourhood, would you?—A. They seem to be in favour of it down south and I think it would preserve the lobsters here. If we don't save the eggs the industry will soon be fished out.

Q. What would you think about pounds?—A. The lobsters would have to be put into some place.

Q. Are there any suitable places for pounds here?—A. Not unless they are put inside the island. I think in our bay there would be too much fresh water although I have seen lobsters here.

Q. Have you any suggestions to make for the improvement of present conditions?—A. About a license, I think any man that can put lobsters up ought to have a license as well as the big fellows.

Q. You would need to have some guarantee of efficiency or some inspection?—A. Yes, I should think so.

Q. Do you think there would be any advantage in restricting fishermen to a certain depth of water and not allowing them to fish too close to the shore?—A. I believe that would be all right because the female lobsters come into the shallow water to spawn. I don't know whether they all do. I think fishing in two fathoms ought to be stopped.

Q. Do you think the lobsters have decreased in size?—A. They have.

Q. Do you think there is a greater average of small lobsters than there used to be?—A. Yes, since I commenced thirty years ago. But the lobsters down south are of a larger size than we get here.

Q. That is the lobsters in the neighbourhood of Pictou Island?—A. Yes.

Q. There is a great deal of fishing done there?—A. Yes.

Q. Do you think there is any combination on the part of the canners to keep the price down?—A. I don't know. They seemed to butt against one another this year.

Q. You think the fishermen take to the factory pretty nearly all they catch?—A. I think so. Of course I was never out with them to see whether they throw any overboard or not.

Q. What was the smallest sized lobster you ever saw carrying eggs?—A. I don't think I ever saw anything under 8 inches carrying eggs.

Q. Have you any idea what proportion the berried lobsters bear to the total catch?—A. I could not tell you.

Q. You think the canners are packing a smaller run of lobsters than when you were first connected with the industry?—A. Yes.

Q. They are using smaller lobsters to keep up the pack?—A. Yes, sir.

Q. Do you think there is any time during the season when lobsters are not fit for food?—A. First in the spring the meat is not so solid as it is afterwards. It is softer and not so firm.

Q. When the lobsters are casting their shell how are they in quality?—A. Going on about the 1st July there is a lot of soft shell lobsters. I think when the lobster is casting its shell the meat is not fit to be canned.

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Q. Do you think that if the canners refused to accept berried lobsters from the fishermen they would return those lobsters to the water?—A. If the canners refused to take them they would have to.

Q. Can you tell us the proportion of lobsters that are below the size limit; that is, how many out of every hundred?—A. I could not say, because I never saw them measured.

Q. Have you any idea how many lobsters it ordinarily takes to fill a pound can?—A. It would take between 8 and 9; that is at the last of the season. Those are the small ones. The average I think would be 6 and 7.

Q. Do you think that if the size limit were strictly enforced the canners would have to close up?—A. I dare say, because there is a lot of small sized lobsters canned. The canners might say that in order to hold on to the small ones.

Q. Would you favour any change in the law as regards the size limit from your experience?—A. I don't think anything under 6 inches is any good to can.

Q. Have you any idea what regulations were in force when you first became identified with the industry?—A. Not any that I remember.

Q. If the size of the lobsters is not as great as it was 30 years ago, what is the reason for the diminution?—A. Too many small ones caught. They are not allowed to grow. If we catch all the small ones we cannot get big ones because they have no time to grow.

Q. Do you think there is any reason why there should be a different size limit in one place from what there is in another?—A. I don't know about that.

Q. Do you think the lobsters originally were pretty much the same size all over, or do you suppose there is a smaller race in some places than there is in others?—A. Off Cape Bald there is a smaller race of lobsters and they are a month later in canning. So I am told by practical men engaged in the industry.

Q. What do you think of the proposition to do away with the size limit and to compensate for that reduce the season somewhat?—A. I think the season is short enough. They should not be allowed to take any undersized or spawn lobsters. That is one thing that should be stopped altogether, taking the spawn lobsters.

Q. What do you think of requiring the fishermen to register and take out a license; would that have any difference in the fishermen observing the law?—A. It might with some, but not with all.

Q. Do you think the existing penalties, if they were enforced, are sufficient to deter the packers from violating the regulations?—A. I think so if they were enforced.

Q. What would you think of a general closing down for some years?—A. I don't think that would do at all. There are so many fishermen who are dependent upon lobster fishing for the biggest part of their living who would be out of employment altogether.

Q. What is the best fishing month?—A. Coming on the last of May and 1st of June. About the middle of May anyway.

Q. Do you think it would be possible to establish a standard of fitness for a license to can; to insist that the packing tables should be of glass, marble or enamelled ware?—A. Ours are all zinc, and are washed thoroughly and made as clean as water could make them.

Q. Do you think that the product of the canneries should be inspected?—A. There is no doubt but that it ought to be.

Q. What do you think about issuing canning licenses to aliens?—A. It should be stopped altogether; I don't approve of that.

Q. Do you think the average fisherman would make more money if allowed to can?—A. I think so. I think he would make a little better living.

Q. You would encourage the policy of having fishermen co-operate in canning?—A. And put up their own fish.

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Q. Are there any co-operative canneries in this district?—A. No, sir.

Q. Do you know how the price is established?—A. There is a price for the monthly men.

Q. Their wages vary I suppose, one man may be worth more than another?—A. That is the way it is always.

Q. And for those who sell their lobsters by weight?—A. I cannot say anything about that.

Q. Are you aware of complaints by fishermen that they could not get a fair price from the canners?—A. Yes, I think they all try to get as much as they can. If they don't get what they want some grumble.

Q. Are you aware of any fishermen having lost their catch of lobsters by the canners refusing to take them?—A. No, I am not.

Q. If the canneries were closed here could the fishermen find another market for their lobsters?—A. No, sir, because it takes very few to fill up the local market here.

Q. Have you any idea which branch of the lobster fishery is the most remunerative to the fishermen, the live lobster trade or the canning?—A. I believe the canning is the best.

Q. What do you think about the trap in use?—Is it the best suited for the purpose?—A. Yes, sir.

Q. Have you anything else to say?—A. I think that any man who wants to put up lobsters should have a license.

Q. Do you think there should be a limit to the number of licenses granted to one individual?—A. The man I work for took out two licenses one season.

Q. For one cannery?—A. He overran his first license.

Q. What I mean is do you approve of issuing more than one license to one man—that one man should run different canneries?—A. No, I would not favour that at all.

The COMMISSIONER.—If there is any other person connected with the lobster fishery that wants to give evidence we shall be very glad to hear him. We want to make the inquiry as thorough as possible.

OSBORN WILLISON, fisherman, called and sworn.

By the Commissioner:

Q. You are a fisherman and you fish off Escuminac Point?—A. Yes, sir.

Q. For one of the factories down there?—A. Yes, sir.

Q. How long have you been fishing lobsters?—A. About six summers.

Q. Always in the same locality?—A. Yes.

Q. When you are not fishing lobsters how do you employ your time?—A. In the summer season I work about the farm.

Q. When do you first begin to fish?—A. About the 20th April. We commence to run our lines as soon as we get a chance.

Q. The ice is gone from here then has it?—A. As soon as the ice leaves we start to run our lines.

Q. In what depth of water do you begin to fish?—A. Ten and eleven fathoms first.

Q. How far off shore would that be?—A. I would not have much idea. It would be a good piece; it must be four or five miles I think.

Q. How long do you fish in that depth of water?—A. About a month I would say.

Q. Then what happens?—A. We move our traps into seven fathoms and then into about four and then into two fathoms.

Q. You go right into two fathoms eventually. When do you get in there?—A. We commence to move in about June, the last of June.

Q. You move in because you follow the lobsters?—A. We follow the lobsters.

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Q. What number of traps do you fish?—A. I have about 250.

Q. Are you working by the month or by the week?—A. By the month.

Q. Do you find a smaller run of lobsters in two fathoms of water than you do in ten?—A. I find the lobsters smaller in size.

Q. Would you venture to say that as you go in to shore the run of lobsters gradually decreases in size? Do you get the best lobsters in the beginning of your season?—A. Yes, sir, always the best.

Q. Do you find berried lobsters when you first begin to fish?—A. Some. They seem more plentiful in June.

Q. And there are more of them in the shoal water than in the deeper water?—I don't know that there is much difference.

Q. Are the lobsters as large now as they were when you first began to fish; would the average run as large?—A. I think they are just about near the same.

Q. Do you get about the same number and proportion of lobsters as when you began to fish?—A. Unless it was this summer. They are scarcer this summer.

Q. What would you attribute that to?—A. It is not due to the weather. I think it was a fine summer.

Q. Have you always fished the same amount of gear and the same number of traps?—A. Just about the same.

Q. That is about as much as a man can fish?—A. That is about what he is supposed to fish. Some fish more.

Q. Are there more traps and boats fished in your neighbourhood since you first started fishing?—A. I think there are about the same number of boats. They may fish a few more traps than in the first summer I fished.

Q. The boats and gear are owned by the canner I suppose?—A. Yes.

Q. What would be your idea about requiring the fishermen to register and take out a license?—A. It might make a difference.

Q. Have you any idea of the price paid for lobsters now compared with what it was when you first began to fish?—A. No.

Q. Is the monthly wage about the same?—A. This year they were lower than I have ever seen them. Wages were about \$28 this year and last year about \$35.

Q. What was the decrease owing to?—A. I could not say.

Q. Was it the same all over?—A. All down that shore.

Q. In the matter of the sale of lobsters and so forth, do you think there is any competition or are the fishermen obliged to accept what is offered them?—A. I think they have to. They have to take what they get or quit the business.

Q. What is the regulation regarding the opening of the season?—A. The fishermen run their traps about as soon as the ice goes away. I never was told to throw away berried lobsters until this summer.

Q. And this summer you were told to throw the berried lobsters away? By whom?—A. By the foreman.

Q. Who owns the cannery?—A. W. S. Loggie.

Q. Did the fishery officer ever tell you that?—A. He never told me.

Q. But you think the fishermen generally know that?—A. I don't think they were ever told until this summer.

Q. Then as to the size limit, what is the regulation?—A. We catch them pretty nearly all sizes; we catch them down to about 5 inches.

Q. Down to what size are the lobsters generally caught?—A. That is the average run. Do you mean how small a lobster I have seen caught? I have taken them down to as low as five inches.

Q. And they were all accepted?—A. Yes, sir, everything that was taken in my traps.

Q. What has been the practice with regard to berried lobsters?—A. I used to fetch them ashore. This year I fetched some ashore.

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Q. Although the instructions this year were not to bring them ashore?—A. Yes, but he did not enforce it very much. They all fetched them and I fetched them along with the others.

Q. Do you expect a canner to take all the lobsters you bring to the factory, berried and undersized lobsters, and everything?—A. He always did.

Q. Do you think he ever made, or attempted to make, a cull of the lobsters?—A. I never seen them, not where I fished.

Q. Have you always fished at the same place?—A. I always fish around the Point.

Q. At what time of the season do you take most of the berried lobsters?—A. I could not say. I have seen them plentiful I think about the last of the season.

Q. How many lobsters out of every hundred do you take in your traps that bear berries?—A. I could not say.

Q. Would there be a good many or very few?—A. Some years there is more than others. In the spring you don't see many. Some years I have seen a lot more than others, but there is not a great many.

Q. What is the best fishing month in the season?—A. From the middle of May to the middle of June I believe is the best.

Q. Do the fish slacken off towards the end of the season?—A. Yes, always.

Q. What would you say in your experience is the spawning period of the lobster?—A. I think the last of the season. I have found them with the spawn partly off at that season.

Q. Do you notice the eggs getting ripe when you handle the spawn lobsters?—A. I have seen lobsters with the eggs nearly off at the last of the season. The spawn looks different, too.

Q. Do you think the lobsters come inshore to spawn?—A. No, sir, I have caught them the last of the season outside. I don't know if they do.

Q. Do you think there is any time when lobsters are not fit for food?—A. I do not think they are good when they are shedding their shell.

Q. What is the smallest sized lobsters you have ever seen carrying eggs?—A. Oh, about 9 inches; 8 or 9 inches.

Q. What would be the average size of those you have seen bearing eggs?—A. Mostly good sized lobsters.

Q. What would you say is the average size of the lobsters you take one with the other?—A. I would not have much idea.

Q. Do you ever see any very large lobsters now?—A. Very few.

Q. Can you give me any idea of the size or weight of the largest lobsters you have ever caught?—A. I have seen one at the factory I worked at that weighed 5 pounds. That was the largest one I ever saw.

Q. Is the regulation for the protection of the berried lobster observed here?—A. Not in my experience.

Q. Would you suggest any change in the regulations that would give better protection to the lobsters?—A. I think to stop shoal water fishing would be a protection.

Q. Why do you think that?—A. Because they seem to claim that is the time you get the most, in shoal water, and they are easier caught. You can fish more with traps and destroy more lobsters.

Q. Are hoop nets or 'curlies' used here at all?—A. I have seen very few these last few years.

Q. Is there any illegal fishing or packing going on here after the close of the season?—A. I have never seen any.

Q. Is the practice of stripping or washing off the eggs from the female lobsters followed here?—A. I have seen an odd fellow do it for fun; I have knocked them off myself.

Q. Is it easily done?—A. It is not very hard to knock them off, but still when you are fishing you could not do it very well unless you went ashore.

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Q. There is no necessity for doing it if the canners take the berried lobsters with their eggs on?—A. No.

Q. Has the canner in your neighbourhood ever objected to accepting berried or undersized lobsters?—A. No.

Q. Is it to your knowledge that the canners have ever made any examination for the purpose of seeing that the lobsters that they receive are not contrary to law?—A. I have never seen them.

Q. Do you think if the canners refused to accept the berried and undersized lobsters the fishermen would be obliged to put them back in the water?—A. I think they would.

Q. The monthly wages fishermen would not likely object?—A. No, they would not.

Q. But the men selling by weight might?—A. Yes, they might.

Q. Do you think it is the practice on the part of the fishermen to avoid dealing with a canner who is careful in the observance of the law? Some canners complain that if they live up to the law strictly they would lose their fishermen who would go to other canners not so careful?—A. I don't know as to that.

Q. Do you think it would be possible to get the fishermen to return all the berried lobsters to the water?—A. Yes, I think it would. I think if we were told to throw them overboard. It would not be any use for one to do it when others fetch them ashore.

Q. Would it be possible to get the fishermen together and explain the matter to them?—A. It would be necessary for the fishermen on wages to throw them overboard.

Q. Are the fishermen getting more careful and understand better the necessity for preserving the berried lobsters?—A. I think they are.

Q. Do you think it would be a simple matter to have the berried lobsters collected and carried to pounds?—A. I don't think it would.

Q. How long will the lobster live out of the water?—A. He will live 24 hours if kept out of the sun, that is in the spring. Nothing will kill him as quick as the sun. He will not live very long if left in the boat where the hot sun can beat on him; he will die in three hours.

Q. What would be the best means of saving the eggs in your opinion?—A. Throw the lobsters back into the water.

Q. What do you think about the present regulations restricting the number of canning licenses?—A. I don't know that it would be a benefit to all hands to be canners. All hands could not be canners; there would be no fishermen. I daresay it would be all right for the man who could put up lobsters to get one. Another man might not be able to put them up.

Q. Would the fishermen have any market for their lobsters if the canneries were closed?—A. No, I don't think it.

Q. Do you think if the present size limit were strictly enforced here the canneries would have to shut up?—A. That is if confined to 8-inch lobsters?

Q. Yes?—A. I think they would.

Q. Do you think an increase in the number of canneries would result in an increased catch of undersized lobsters as things are at present?—A. It might.

Q. What would you think of a proposition to do away with the size limit altogether and take off a few days at the close of the season?—A. It is according to how much you would take.

Q. How much would you allow us to take if the matter rested with you?—A. Any time I ever fished from the 1st of July to the last of the season there were very few lobsters caught of any account.

Q. But still there are some caught?—A. About the poorest there is. That time of the year there seems to be no lobsters much anyway. At about that time you will

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get them with their shells coming off at about the very last of the season. It might help the industry.

Q. You say the size limit is practically not observed at the present time?—A. No, sir.

Q. It would be very difficult to enforce it, would it not?—A. It would be pretty hard.

Q. So that the law would be always liable to violation?—A. I don't know how you could do it very well.

Q. But the regulation taking some time off the season could be enforced?—A. Yes.

Q. Do you think it would cripple the industry or treat the fishermen unfairly if we stopped fishing on the 1st July?—A. I don't know as it would hurt the fishermen an awful lot.

Q. Do you not think that in three years the fishermen fishing by weight would catch more fish and that it would effect an improvement in the fishery?—A. I think it would be the best and easiest done for sure.

Q. What would you think of the proposition to close down canning for a number of years?—A. I don't think that it would be very good. That would be hard on the poor fisherman.

Q. Would you favour closing down in certain sections for a time?—A. I don't think it would be advisable.

Q. Which do you think, of all the propositions advanced, would be the most reasonable and best in order to save the lobsters and improve the fishery in the future?—A. I suppose to protect the small lobsters and the spawn ones.

Q. How would you go to work to do that?—A. Well, the majority of small lobsters I ever caught were caught in shoal water at the last of the season. That is about two fathoms; outside you get very small lobsters. They move in and it is there you get the small lobsters.

Q. Do you think the lobsters go far off shore in winter?—A. I think they do. It is in about 11 fathoms we get the best fishing. They appear to be in closer this year.

Q. Has any one caught lobsters here in winter?—A. Not around here.

Q. Are you aware of any combination on the part of packers to keep down the price paid to the fishermen?—A. I don't know what they would do it for.

Q. Do you think there is any reason why the size limit should be different on one section of the coast from what it is on another?—A. I don't see any reason at all.

Q. Are there smaller runs of lobsters on some sections of the coast than on others?—A. I have only fished along this coast and, therefore, don't know about that.

Q. You are of the opinion that lobster fishing should be kept to a certain depth of water, that shoal water fishing should not be allowed?—A. Not too shoal.

Q. What should you put the limit at?—A. About three or four fathoms.

Q. When is your best fishing month?—A. There are more lobsters caught in June I think.

Q. Are the lobsters in better condition in June than in May when you begin to fish?—A. The earlier you fish generally the better the lobsters. The earlier you fish you get the bigger lobsters.

Q. Do you think the lobsters are as well filled as when you first catch them?—A. I think they are better in June.

Q. Are there any places where lobsters come in at the close of the season that it would be well to close and prevent fishing in? At the Magdalen islands fishing in lagoons where the lobsters go to spawn is prohibited. Is there anything of that kind here?—A. Inside of reefs they fish at the last part of the season.

Q. But the prohibition of shoal water fishing would prevent that?—A. It would prevent that, they could not fish there.

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Q. And it is only at the very close of the season that fishing goes on at these places?
—A. The last of the season.

Q. Would you limit the number of traps fished by a canner?—A. Yes, I would limit the number of traps.

Q. There does not seem to be any object in reducing the number of licenses without a reduction in the number of traps?—A. I have known them to fish as high as 300 traps in shoal water. When a man is hired he is supposed to take 250 traps. That is where I think a great deal of the mischief is done.

Q. Is there very much loss of traps in the spring where you fish?—A. There are a good many traps lost.

Witness discharged.

The commission adjourned.

RICHIBUCTO, July 26, 1909

EDWARD MCINERNEY, manager, Richibucto, called and sworn:—

By the Commissioner:

Q. How long have you been connected with the canning business?—A. About 18 years.

Q. You had at one time I think a cannery of your own?—A. Yes.

Q. You own it still?—A. I should own it, yes.

Q. At present you are connected with the firm of R. O'Leary?—A. Yes.

Q. Have you the management of the canneries?—A. I have the overseeing of the canneries.

Q. How many does that represent?—A. I suppose about 18 canneries large and small.

Q. Where are they situated?—A. From Point Sapin to Cocagne.

Q. How many boats do you employ altogether, how many to a cannery?—A. Some of our canneries are small and some large. I suppose there would be in all 100 boats.

Q. Fished by two men generally?—A. Yes.

Q. What number of hands would that represent in the canneries, men, women and boys?—A. About 200 girls, 200 fishermen and about 150 men and boys in addition to that.

Q. Are there many other canneries licensed between Sapin and here?—A. W. S. Loggie has got one at Sapin, one at Kouchibouquae gully and one at Buctouche bay. A. and R. Loggie have a factory here and one at Shockfish. Mr. O'Leary operates the rest of the canneries along the coast with the exception of those I have mentioned.

Q. What is the total capacity of your canneries one year with the other?—A. From 3,000 to 4,000 cases.

Q. What have you packed this year?—A. I would say about 3,000 cases.

Q. What is the largest pack you ever made at any time?—A. I could not exactly tell you. The very largest pack would be probably when I was not in the firm.

Q. During your connection with it what was the largest pack you ever made?
—A. About 6,000 cases.

Q. Have they packed more than that?—A. They have before my time.

Q. Do you think the pack is kept up by the aid of increased gear and closer fishing; did you at the beginning fish as much gear as you are fishing now?—A. No, sir.

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Q. Are you fishing a larger number of traps than you used to fish formerly?—

A. Yes. I can remember that we commenced to fish with 150; now it is 250 traps to a boat.

Q. In some places they fish even more than that?—A. Yes.

Q. Do the fishermen own their own boats and gear or do you supply the outfit?

—A. There is a few of them own their own gear. I suppose you could take it about half and half.

Q. What is the average wage paid to those who are paid by the month, you supplying the gear?—A. We hire them different ways. Our fishermen this year got about \$100 for the season. That would be about the average.

Q. You supplying the gear?—A. Supplying the gear and boats and everything.

Q. And boarding the men?—A. They board themselves.

Q. How are these men paid, by weight?—A. We do not have very many of them paid by weight this year only up north. Down here they are all paid by the box. I would not like to give you the price either by weight or box.

Q. Do you think they are paid more to-day than they were twenty years ago?—A. Yes.

Q. Have you any employed by the month?—A. No, sir, the most of our fishermen fish on halves. We find the gear and the boat and we give them half the fish. A great many of them fish that way.

Q. How is that fish turned into you?—A. By the box.

Q. What do you call a box?—A. 48 pounds.

Q. It is by the case then?—A. Yes, by the case.

Q. From your observation as a canner can you give me any idea what is the principal spawning month of the lobster?—A. Well, I suppose it is July here, about the 1st of July or the last week in June.

Q. And the spawning period will continue how long?—A. Their spawn is generally off by the middle of that month.

Q. Do you believe the lobsters approach the shore for the purpose of spawning? Do you think they go into warm, shoal water for the purpose of spawning?—A. That is something I would not be able to give you any idea of myself. They come into shore about that time of the year and you naturally would suppose it would be for that purpose. That is the only reason. They will always come inshore at that time of the year.

Q. Have you any idea of the smallest size at which the female lobsters carries eggs?—A. We have seen them pretty small.

Q. How small would you say you have seen the lobster with her eggs extruded?

—A. I cannot say I have seen them any smaller than 8 or 9 inches.

Q. Have you any idea as to how often the lobster spawns; some people claim twice a year, others once a year?—A. I could not tell you. I could not form any idea.

Q. Is there any part of the season when lobsters are not fit for food purposes?—A. I believe there is, just about the time the shells are soft. I do not believe they should be allowed to be canned at that time.

Q. Can you give me any idea of the average size of the berried lobsters?—A. The average size, I suppose, about the present time would be about 9 inches.

Q. At what size would you consider the lobster to be fully matured?—A. We have some of them here very large. You take a lobster that weighs a pound it would be a fair run of fish.

Q. It would be a fully matured lobster?—A. It would be a fully matured lobster. Some of them grow very large.

Q. Can you give me any idea of the percentage of lobsters taken in the traps that bear eggs? How many per hundred would be egg-bearing lobsters?—A. I would say, from general observation, about one-third.

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Q. You think one-third would be berried lobsters?—A. I believe so. You take some runs. There is a time in the year, say from about the 10th to the 20th June, or round there, there is a run of female lobsters. Every year we have a kind of a run of them.

Q. You expect that run to come and you notice it does come?—A. It does come every year. You will notice in the catch that there are more females.

Q. Then you would say that at that period of the year, in June, they are most numerous?—A. They are most numerous.

Q. Do you know whether the practice of stripping or washing off the eggs is followed by the fishermen here?—A. No, they do not do it.

Q. Do you think it would be possible to get the fishermen to return to the water all berried lobsters taken in their traps?—A. I think they should be made to do so; there should be some mode of carrying that out.

Q. Do you not think if the canners refused positively to accept the berried lobsters it would have that effect?—A. It would certainly have that effect. They would either have to strip the eggs off or return the lobsters to the water.

Q. Do the canners make any scruple about accepting the berried lobsters?—A. No, none at the present time.

Q. And if they absolutely refuse to accept them from the fishermen what do you think would happen?—A. I think the fishermen would strip the berried lobsters.

Q. And bring them in that way?—A. Yes, sir.

Q. Is it the practice to make any examination for the purpose of detecting berried lobsters when the catch is delivered at the factory?—A. No, sir, not in this part of the country.

Q. It has been suggested that one method of protecting the berried lobsters would be for the government to buy them from the fishermen at a slight advance on the price paid by the canners, these lobsters to be liberated at once or placed in pounds until the close of the season. What is your opinion of these suggestions and which do you think the most effective?—A. I suppose we would have a good place in the harbour here.

Q. How far up do you catch lobsters?—A. At the mouth of the harbour. There might be an odd one in the harbour, but we never fish for them here.

Q. What would you think of the proposition requiring the canners to pay an increased fee, instead of the 2 cents a case as at present, and in that way realizing a fund for the purchase of the seed lobsters from the fishermen?—A. The industry to pay for its own protection? Well, of course, the canners should pay a license and the boat should pay a license. The only way you are going to get at any protection of the lobster industry is that way. You have got to get right at the fishermen first, the same as in the smelt business. Those fishermen have got to take out a license and then your revenue is going to be increased.

Q. It would be charged to the boats eventually?—A. And that would raise your revenue. In that way you have a correct estimate of the number of boats that are fishing on any ground every year. You can get at your business better, and then if you are going in for protection that is where you have got to start right, outside among the fishermen, not among the canneries. I believe in starting out first and making the boats pay a license. Every canner can can for 15, 20, 30 or 35 boats, and this license fee as a protection for the lobster industry is no good at present.

Q. Would you limit the number of boats?—A. Limit the number of boats and pay a license. Supposing there is a certain area of ground and one man has 10 boats, another one 2, and so on. The fellow that has 10 boats cut him down. If he has more dollars and cents than I have do not allow him the only gear on the ground, but freeze him out and give every man a chance; limit him to a couple or three boats or so. Limit the number of men in the business and license the boats. Of course when

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a fisherman has a license you have more control over him. If you are an officer you can stop him and say: 'You cannot bring in any more female lobsters.' It is the same as to a man who sells liquor under license. If he sells liquor without a license you cannot get at him, but if he is brought under license he has got to live up to the law. You have some power over him.

Q. For an infringement of the law would you cancel his license?—A. I would cancel his license. Where a man has a license he has got to look after it.

Q. What is the size limit in this division?—A. I think it is 8 inches.

Q. And the season here is what?—A. 26th April to 10th July.

Q. Could you give me an idea of the proportion of the lobsters taken in the traps that are below the legal size limit?—A. On this ground here there is not very many.

Q. Do you know if the lobsters were measured this year at your canneries?—A. They are never measured.

Q. This year there were special instructions sent around to the officers to go and measure them?—A. I could not tell you about this year. I was not as much on the shore as in other years. For years I was among the factories all the time. This year I only rode down once.

Q. You mean to say the law is never enforced?—A. Never enforced.

Q. Then you cannot give us any idea of the proportion of lobsters taken that would be below the legal size limit?—A. The percentage on this coast is very small. We have a better run of lobsters here off Richibucto Cape than we have off Sapin. I have fished in both places and it will take a lobster less here off Richibucto Cape than off Sapin to the pound.

Q. Has that always been the case?—A. In old times they were large everywhere, but recently that is the case. After you get into the south you ought to go among the factories yourself; it is something terrible altogether. I have seen it take as high as 13 lobsters to a pound at some places.

Q. That is beyond the limit here, in the southern district?—A. Beyond this limit?

Q. That is the other side of Shockfish river across to West Point?—A. Yes.

Q. If the present size limit were strictly enforced what effect would it have upon the canners?—A. It would curtail their pack.

Q. Would it put them out of business here? In some places they have told us that if the size limit were lived up to it would put them out of business?—A. In this district I would say it would not.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. It would have that tendency.

Q. Would you favour an increase or decrease in the present size limit?—A. I would not favour any decrease.

Q. Within your recollection has there been any noticeable decline in the average size of the lobsters taken?—A. Not in this district. We had as good an average this year as we have had for ten years.

Q. And about 30 years ago how was it; then the lobsters were undoubtedly larger?—A. Yes.

Q. Do I understand you to say there has not been much decrease in the last ten years?—A. Not in the average size.

Q. Has there been any decrease in quantity?—A. Well, yes, there is a decrease in quantity no doubt. Not so much in the pack, for we have about ten times as much gear fishing as we used to have at one time.

Q. Do you think that in the olden times, when lobster packing first commenced, the lobsters were about of the same run everywhere?—A. I think they were the same.

Q. Have you any idea as to the cause of the decrease in size and the fact that there are such small lobsters down in the southern district?—A. I attribute it to the hatcheries.

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Q. But the lobsters were small even before the hatcheries were established?—A. No, it is only this last three or four years that I have noticed these small lobsters south in Cocagne, as far as I go down.

Q. What are the nearest hatcheries to you?—A. One at Shemogue, one on Pictou island and one on Shippigan. They had an enormous run of lobsters; they never had the like of it before.

Q. Of small lobsters?—A. Of about the one size, and it has led them to believe they come from these hatcheries. We never get that run of lobsters here at all in this north season. The strange thing is that you have only got to go down three miles and they appear to come along at that time. I do not know whether we would get them or not if we were fishing them, but they get this small run of lobsters from the latter end of July along.

Q. When was lobster canning first introduced in this neighbourhood?—A. About 40 years ago I suppose. I cannot exactly say.

Q. Did they can salmon before they canned lobsters?—A. Yes, they canned salmon first.

Q. Do you know what regulations were in force then?—A. I don't think there were any regulations at all.

Q. I think the first regulation introduced was stopping the canning in the month of August?—A. Yes, what they call the close season, which was a very good idea.

Q. When lobster canning was first introduced were not lobsters everywhere along the coast about the same run?—A. About the same run.

Q. Then to what cause do you attribute the decline in the size?—A. They must be getting fished out.

Q. Everywhere?—A. Everywhere.

Q. In your opinion the decline is a natural result of overfishing?—A. Yes, sir, and I would add the lack of protection. For there is no doubt the fishery needs more protection.

Q. It has been suggested that a minimum size of 9 inches should be established for all the waters north of Cape Canso, and of 10 or 10½ inches for all the waters south and west of that point. What would you think of that suggestion, or even if the limit were put at 8 inches instead of 9?—A. 8 inches is a pretty good sized lobster.

Q. What would you think of having simply two grand divisions?—A. I think that would be all right.

Q. Do you think that different size limits and different seasons in adjoining sections of the coast are unsatisfactory and tend to violations of the law?—A. Yes, sir.

Q. We are coming to the region now where there is a change?—A. Yes.

Q. Do you think there is any reason for that separate division here?—A. Yes.

Q. Do you think it is in the interest of the fishery that lobsters should be taken before they can reproduce, say at 8 inches?—A. No, sir, I would not think so.

Q. Is it invariably a fact that the larger the lobster the smaller number it takes to fill a pound can?—A. Yes, although sometimes you get large lobsters and there won't be much meat in them.

Q. It has been estimated that it takes nine 7-inch lobsters, which lobsters have never been afforded the opportunity of reproduction, to fill a one pound can. If that is the case what effect must the continued fishing of these immature lobsters have upon the industry?—A. There is only one result, it must exhaust the fishery.

Q. Is it your opinion that it will take nine 7-inch lobsters to fill a pound can?—A. I think it will.

Q. You have seen lobsters taken at a size that will need 13 to the can?—A. I have seen them.

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Q. The statement has been made authoritatively that a strict enforcement of an 8-inch size limit, together with the protection of berried lobsters by means of hatcheries and pounds, would perpetuate the lobster industry?—A. It would; yes.

Q. Would you favour reducing the size limit to 7 inches as has been suggested?—A. No, sir.

Q. Would you favour abolishing the size limit and proportionately shortening the season to make up for that?—A. No, sir, that is no protection to the business.

Q. Could a size limit of 10½ inches be maintained here without detriment to the lobster industry?—A. No, sir.

Q. Have you an idea as to the effects of fall fishing? It has been suggested by some person that thirty per cent more lobsters in number are required in the fall than in the month of May and June to fill a pound can?—A. I have never fished in the fall.

Q. Is it the case that canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen who would, in case of refusal to take illegal lobsters, go to other canners less scrupulous?—A. I suppose they would; yes.

Q. How many pounds weight of green lobsters of each size would it take to fill a pound can?—A. Well, we have never figured that way. A ton of lobsters will pack about 9 boxes.

Q. That is a ton of green lobsters?—A. That is what we figure on; about 4½ boxes to 1,000 pounds of green lobsters.

Q. What will it run to the hundred? —A. I am going to give you an idea. Speaking about the size of lobsters on this coast, last spring we had fish here that averaged a pound of lobster. There were about three factories down here and the lobsters averaged about a pound of lobster. That is a big average. Up north it will take about two to the pound, I feel satisfied, and down south, God knows how many. I have never weighed them down there, but I know by the count. When we used to weigh them they would weigh that.

Q. It has been suggested that for the better control of the lobster fishery the fishermen should be required to register and take out a license at a nominal fee. What do you say as to that?—A. I say it is all right; it is a good idea, because it brings them under your control.

Q. Do you think that will have the effect of causing the fishermen to observe the law?—A. It would have more effect certainly.

Q. And do you think licensed fishermen would be more likely to report violations of the law by each other?—A. Exactly, it is a good idea.

Q. What is the practice here in regard to taking berried and undersized lobsters?—A. They take everything right through; they can everything that comes ashore.

Q. Even where the fishermen are monthly wages men?—A. They can everything.

Q. Have the regulations for the protection of the lobster ever been observed in this district?—A. I cannot say that they ever have to any great extent.

Q. Are the existing penalties sufficient to deter packers from violating the regulations if they were strictly enforced?—A. Yes.

Q. In the event of persistent violation of the regulations would the preservation of the lobster industry demand the cancellation of the offender's license to can?—A. Yes, certainly. I should think so.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further licenses be discouraged?—A. I cannot say that the issuance of cannery licenses should be discouraged, because it would be a pretty hard thing to do, but what I would say, as I have already told you, is license the gear. Of course, I am only speaking from my own point of view. I have not got a license to-day, but I understand the lobster business thoroughly, and I have the means to go into it. I have got my boys, and it is pretty hard for Mr. So and So to come to me and say: 'You have to sell your fish to me.' Where I have got the experience, the capital and the outfit to can my lob-

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sters I should, as a citizen of this country, be able to have all that is in it. I should not be obliged to give my lobsters to you or somebody else because you have a license. It is a law that is not going to hold in this country, because the people are not going to stand it. If I have a grown-up family or want my boys to remain here, I wish them to have equal rights and be able to go into my business as long as they can carry it on ably. Therefore, I claim that by curtailing the number of licensed factories you are only throwing the business into the hands of monopolists. There are a few men that own all this coast now. That is something that the government should not ignore; they should look after that a little more closely and deal fairly with the people. It affects me personally, but I don't want you to accept any suggestion I make on that ground. Then there is another thing. The government grants a license to seven or eight fishermen. Anyway it just amounts to this: There are six or seven fishermen, and, of course, they had a right to get a license and it is alongside a shop of mine. I represented that to the department. I drew a coast line and everything and went to a lot of work over it. However, I got very little satisfaction. I do not know whether it is because I am on the wrong side of politics, but that should not make any difference on a coast of this kind. These men had to take their fish two miles to be canned. They were farmers and fishermen, and it was a great inconvenience to them.

Q. And led to a lot of extra cost?—A. Certainly. They had a license this year to can their fish.

Q. They clubbed together and got a license?—A. I do not know what is the number. However, seven or eight or nine clubbed together and got a license. I was glad to see the men get a license, because they were entitled to it.

Q. That is what they call a co-operative license?—A. A co-operative license and I think it is a very good idea.

Q. In the interest of the lobster industry would you favour a general closing down for some years?—A. I don't see how you could stop.

Q. It would dislocate things too much you think?—A. I think it would.

Q. The Lobster Commission of 1898 recommended that temporary reserves should be established in various sections along the coast where fishing should not be allowed for a term of years, the location of these reserves to be changed from time to time. Do you think the lobster industry has reached a point where it is necessary to take such heroic measures?—A. Not at the present time on this coast.

Q. Do you think it would be better if suitable regulations could be enforced?—A. Yes, if they could be enforced. There is one thing they have got to do now and that is to look after the berried lobsters. Any laws they pass in regard to the fishery business must be enforced. They have not been doing that; everybody knows it. It is a business that should be protected and without protection it is going to go down.

Q. Do you think a reduction in the length of the open season would be of advantage and eventually tend to perpetuate the fishery?—A. The season is almost short enough now, I think.

Q. Do you do much here from the 1st to the 10th July?—A. No, we do not, I will admit that.

Q. In connection with a former question: Would you favour a universal close season for the whole Atlantic coast, that is from July 15th to January 1st following, or have such a season from July 15th to January 1st north of Cape Canso, and from July 1st to January 1st west and south of Cape Canso with a larger limit in the latter division?—A. No, sir.

Q. Would you favour fishing in the fall?—A. I don't know that, I think that one season is enough.

Q. It would be burning the candle at both ends in your opinion?—A. Yes. I claim that the lobsters now being packed from the 1st July on this coast should not be packed.

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Q. You would not allow any packing after the 1st July on this coast?—A. After that date lobsters should not be packed. If these southern people cannot see any way to get the fish in the spring they ought not to fish in July at all, but give them fall fishing.

Q. That is in the southern district?—A. Yes, in the southern district. The lobsters caught there during the month of July should not be canned.

Q. You do not regard the present regulations restricting the number of canning licenses as satisfactory?—A. I don't think it is.

Q. Would you favour issuing a license to every one competent to pack?—A. Yes, I would favour issuing a license to every man competent to pack. One man's money is as good as another's, one man has just as much right to pack as another.

Q. Would it be possible to establish a standard of fitness for canning; in granting licenses you would need to have some restriction?—A. Some restriction, certainly. I think a man should have experience and should have capital. Above all he should be an experienced man.

Q. How would you establish a man's fitness to can?—A. He would have to have some experience in the business.

Q. Of course he could employ experienced people to do the work for him?—A. That is right.

Q. Then the applicant for a canning license must have capital?—A. That is right he must have capital. At the same time I don't believe in men with capital handling all the lobsters on this coast. I believe more in having the men that are running the business the sole owners and not having one man controlling the whole coast. I believe in having restrictions in that way.

Q. But you think there ought to be some standard of fitness for a cannery?—A. There certainly should be, but it is pretty hard to define it.

Q. Do you think the cracking table should be of material that could be kept scrupulously clean?—A. Yes.

Q. Would it be possible to have the cracking table of glass, marble, enamelled-ware or something of that kind?—A. Yes.

Q. Because where the cracking table is of soft wood, and is not kept clean and thoroughly scoured it is apt to get very foul?—A. We cover our tables with zinc. We built a new shop here and put in hardwood flooring. It is jointed and comes together as close as we could possibly get it.

Q. On the table?—A. On the table. I might say it has given us good satisfaction. I prefer it to zinc. It is the first one we put in and I prefer it because there is nothing can adhere to it.

Q. Should not the product of the canneries be subject to inspection?—A. Yes.

Q. Could this inspection be made by the existing staff?—A. No.

Q. Would you refuse a canning license where aliens only are interested or mainly interested?—A. I would not make any distinction.

Q. It is only their capital invested here, they employ Canadian labour?—A. Yes.

Q. Do you think the fishermen generally would make more money if they were allowed to can?—A. I do not know that they would.

Q. You would approve of the policy of co-operative canning?—A. That is all right.

Q. Are there any of these co-operative canneries in your district?—A. There is only one, which was licensed this year for the first time.

Q. What is the price paid for lobsters in your district and how is that price established?—A. It varies.

Q. Where the fishermen are paid by weight what is the price?—A. About \$3 a hundred pounds. In the case of some it was less than that this year. The lobsters are bought in different ways in each place.

Q. How is that price established; is it a matter of arrangement with the fishermen?—A. Yes, a matter of arrangement between the canner and the fishermen.

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Q. Is there competition?—A. Yes.

Q. Are you aware of any complaints made by fishermen that the price paid them is not satisfactory?—A. The fishermen can look out for themselves. The class we have here can.

Q. Is it the case that fishermen have lost their catch of lobsters by canners refusing to accept them?—A. Not to my knowledge.

Q. Have the canners, from abnormal market conditions or other reasons, reduced the price paid to the fishermen?—A. Green lobsters are a little lower this year on account of the price of canned lobsters.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of the canners to operate their factories although a sufficient supply of lobsters was available.—A. That has never been the case here.

Q. It has been asserted that if the catch of lobsters was further lessened or curtailed, the canners would have to shut down. What is your opinion on that subject?—A. I don't know. If it protects the lobster industry it should not make any difference.

Q. What market would the fishermen have for their lobsters if the canneries were closed?—A. If the canneries were closed they would have to seek a live lobster market in the United States and the shipping facilities would not guarantee shipment.

Q. Which branch of the industry do you think is the most remunerative to the fishermen, and the least likely to deplete the industry, the canning or the live lobster trade?—A. The live lobster trade is out of the question on this coast.

Q. Are there any live lobsters shipped from here?—A. None.

Q. Should the shipment of live lobsters be favoured in preference to canning?—A. I am not in a position to give you an opinion upon that.

Q. Are the present facilities adequate to the profitable handling of the live lobster trade?—A. No, sir.

Q. Have you any idea of the price of live lobsters in this district?—A. No, sir, they have not been handled here.

Q. From your experience can you say whether the hatcheries have helped to maintain the supply of lobsters or not?—A. I think they have.

Q. Saving the eggs ought to do that in any case?—A. Yes, sir.

Q. Can you give me any instance showing the good effects in that direction?—A. In the south the increase in the lobsters is due to the hatcheries in the opinion of the fishermen.

Q. Would you recommend an increase in the number of hatcheries?—A. I would.

Q. Have you any observation to make with regard to tidal pounds for the breeding of lobsters?—A. No, I have not.

Q. Do you think that the trap at present in use is the most suitable?—It appears to be the only one.

Q. The one in use here is the old fashioned trap?—A. Yes.

Q. Have you the parlour trap here?—A. The three end trap?

Q. Yes.—A. Yes, we have that too.

Q. Was that not introduced for the purpose of saving everything that came into the trap?—A. Yes.

Q. The creation of a board to advise the department with respect to the administration of the lobster and other fisheries in the maritime provinces has been suggested, would you approve of that idea?—A. Yes, certainly I would.

Q. Is there any other matter connected with this inquiry upon which you would like to express an opinion?—A. No, sir, only what I told you about the licenses. I think the license should be on the boat instead of on the pack. It is all right for the canners to pay a license, but I believe in making every boat pay a license. That is the only suggestion I would make in regard to that and I think it would be a good idea because it would bring these men under the control of the officers.

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Q. It seems rather absurd to limit the number of canneries and not limit the number of traps?—A. I always advocated that. When Mr. Chapman was here the last time I did so. I have spent a lot of money over this thing. Not that it is any benefit to me because I am getting my fish canned. The only thing is, I was deprived of a license and the time the government passed the law dealing with licenses there was not a fisherman about this coast knew anything about it or a man that runs a cannery. If they had given a year's notice I would have taken out my license; they caught us unawares. They should not deprive any man of his rights. Furthermore, the industry is one that needs protection if it takes more officers to do it. You take a fishery officer for the whole of this coast and what does it amount to? You want a man among the factories all the time to look after the female lobsters and make the canners live up to the law. It is going to benefit them in the end. It may come hard at first but in the end they will benefit by it. It will be just the same as any other law. They may regard it as intended to drive them out of business but it is not that.

Q. When the fishermen first put out their traps in the spring in what depth of water do they set them?—A. Our spring fishing is the outside fishing in about 10 to 12 and 13 fathoms of water. We go I suppose about six miles off on this coast. At Cocagne you may go ten miles off to get that same depth of water.

Q. About what time does the fishing begin?—A. From the 5th to the 10th May, that is the packing.

Q. The traps are out before that?—A. Sometimes. The lines are out very seldom before the 25th April. It is generally about the last of April and 1st May.

Q. Then as the season advances what is the practice with regard to the traps?—A. It depends a great deal upon the ground that you have traps on. If you are on good bottom the fish will hold out long. In the spring of the year you may have four or five weeks good fishing. When the fish move in you gradually move in your gear. The fishermen generally move their gear into about four or five fathoms of water.

Q. Do they fish inside of that at all?—A. Very little. Of course sometimes they do. I have known them to fish in three fathoms of water but not to any extent.

Q. Are hoop nets used here?—A. Not at all.

Q. Is there any illegal fishing or illegal packing done here after the season is over?—A. There has been a little I think. It is worth looking after. There has been a little more here than there should have been.

Q. Do you think that towards the close of the season, when the traps are fished in shoal water, the proportion of undersized and berried lobsters is greater than when fishing begins?—A. They are principally undersized.

Q. Do you think it would be wise to limit the fishing to a certain depth of water and not allow the fishermen to come too close in?—A. I don't think that would have much effect; it depends a great deal upon the bottom. I have seen lobsters caught outside that were the smallest fish we got in the shop. That was on sandy bottom, whereas there would be some lines in shore, quite handy, on the rocky bottom that would have good sized fish.

The lobsters undoubtedly come in from deeper water in the spring?—A. They do.

Q. Up to what time of the year do you think they keep coming in?—A. I would say about the middle of May here. You can tell by the outside lines. When we set out lines in the spring of the year we have sometimes no fish at all and sometimes we get seven and eight hundred and nine and ten hundred. That body of fish will keep up about two weeks. Then there is not much more fish come because we have had lines out on sandy bottom and they never got any more fishing after that, the lobsters move in towards the shore.

Q. What time will they reach the shore?—A. Say by the middle of June.

Q. How long do they remain off the shore?—A. I think in the fall of the year the fish are off shore.

Q. They are still inshore in the fall of the year?—A. Yes, in fact I know they are. I know they get fish very late in the fall. I have known them to fish in October.

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These fellows fished on the quiet and did not go far away from the shore and their traps were getting good fish. That would lead you to believe the fish stayed on until quite late and then moved out; they must of course move out.

Q. Who is the manager for Mr. Loggie here?—A. Mr. Baird. Let me repeat that I think the lobster regulations should be enforced and the officers should not make fish of one and flesh of another. Then it would be of benefit to the country.

Q. Do you think that when the regulations were first applied there was more attempt made to enforce them than there is now?—A. I think so. I think they have gradually got into the habit of letting the thing lapse. Make the fishermen pay a license; make him see that he has something to lose, that you have got some hold on him. If he violates the law then let him forfeit his license.

Witness discharged.

Mr. McINERNEY recalled:—

THE WITNESS.—You asked me if I thought it was advisable to issue a license to fishermen to can. I don't think so, and I will tell you why. I think there should be a standard shop. Where those fishermen can their own lobsters they will bring them ashore and they have not got the proper facilities to can those fish right. They will pack them in the house, in the woods and every place. I think there should be a standard shop, that it would be up to the mark, and a man should not get a license to pack until his shop is up to the mark and fishing not less than 5 boats.

Q. What would five boats represent in the way of cases?—A. Say about 200 cases. I think that would be a good thing. It affects your stock if you get any poorly packed lobsters; it is dangerous.

Witness discharged.

LAZARE GUIMOND, packer, St. Louis, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the packing business?—A. Twenty-nine years this summer.

Q. How many canneries do you control?—A. I control one.

Q. Situated at St. Louis?—A. Right on the beach about two miles from the mouth of the river.

Q. Are there any other canneries in that neighbourhood?—A. Three miles from me there is a cannery belonging to Mr. W. S. Loggie, and on the south side of me, three miles away again, there is a cannery owned by Mr. Selim Robichaud.

Q. How many boats do you employ?—A. I had seven of my own there at the factory. I think there were 12 or 13, but some of them were small craft, at Principaux, 12 miles from us.

Q. What number of hands do you employ afloat and ashore?—A. I generally have 14 men afloat and sometimes 7 or 8, sometimes 9, men ashore. Of girls I had at times 60 and 40. This last summer I only had 19 and after a fortnight's fishing I had to let some of them go.

Q. What would your cannery be able to turn out when running full blast?—A. If there was a run of lobsters the same as I have seen them I could turn out 35 to 40 boxes a day. I have done more than that but that would be what I call good work.

Q. What did you pack this year?—A. I cannot tell you exactly, I think over 300.

Q. What is the largest number you ever did pack?—A. 2,300 boxes.

Q. In the same cannery?—A. It was when the lobsters were plentiful.

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Q. They did not keep plentiful?—A. No, they began to decline after I came here.

Q. Are you fishing a larger number of traps than you did formerly?—A. Yes.

Q. Is it your opinion that the supply of lobsters is being kept up by taking small ones that were formerly rejected?—A. We are taking about the same. I mean to say we are taking smaller lobsters now because the run is not so much. When there was plenty of lobsters they were of large size and the smallest ones would go through the traps.

Q. What was the space between the slats of the trap formerly?—A. One and a half inches. Now it is an inch and a quarter and some closer.

Q. Do the fishermen own their own boats and gear?—A. No, we supply them.

Q. From your observation as a canner and fisherman what do you think are the spawning months of the lobster?—A. Years ago when we had the long season to the fall it would be from the 10th July to about the 10th or 15th August. I remarked this year when the 10th July came we used to get females just after spawning. I said it was a good job the season was not extended because the fishermen would find in their traps five or six sometimes that had no shell and they were just like a piece of rubber after losing their shell, the new shell had not got hard.

Q. What do you think yourself about the spawning habits of the lobster, do you think she spawns every year?—A. Yes, once a year. Some years in the first part of the spring you get the female lobster with eggs attached. They drop off then and you hardly see any of them after the 10th July.

Q. What is the smallest size at which you have seen a female lobster bearing eggs?—A. I have seen them as small as six and seven inches. They were not very thick, but there were some. I have seen them this small too (illustrating by a gesture).

Q. What would you say is the average size at which they have eggs?—A. I cannot tell you the average exactly, but I have seen as small as six and seven inches. Very few six, but seven quite a number and from that up to the larger size.

Q. What percentage of the lobsters taken in the traps bear eggs? How many out of every hundred?—A. It just depends. Some times you find none; other times a dozen and some times more. The average would be one-quarter at the regular spawning period in the spring.

Q. Is the practice of stripping or washing off the eggs from the berried lobsters carried on by the fishermen?—A. No.

Q. Do you think it would be possible to get the fishermen to return the berried lobsters to the water?—A. It is impossible. The moment that point arises every factory would close; they cannot do it. The reason why is that the canners would not get the fishermen to do it. Supposing you dropped them overboard to-day, when you went back the next morning they would be all in the trap again. I have seen that. We tried that some years ago when I was fishery officer. The fishermen used to get a lot and smash them on the bow of the boat so that they would not come back.

Q. Do you think if the canners refused absolutely to receive berried lobsters, the fishermen would throw them back into the water?—A. Yes.

Q. But now the canners have to take them?—A. Yes, that is my opinion; in fact it is the only good sized lobster in which there is a profit. Generally when the female lobsters come ashore to spawn they are large lobsters. Except this year, we have not seen any of that kind at all.

Q. There is a smaller run this year?—A. Yes, a smaller run in general.

Q. What do you think would be the best way to protect the female lobsters? There cannot be any doubt that it is wrong to destroy them?—A. My opinion is this: We commence in the spring and quit on the 10th July. The lobsters spawn all through the season. Of course there is a spell, as I have told you before, from the 10th July until the 15th and 20th August when they all come ashore.

Q. That is the heaviest spawning period?—A. That is the heaviest. We used to drop them out some years ago. About 15 years ago we used to stop fishing in the

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month of August, and then after that we continued in the fall until we quit packing, until it was too cold to continue.

Q. How do you think we can save these female lobsters, that is the main thing?—A. That is the main thing, but it is more than I am able to tell you. The difficulty is that you may throw them over and another man violate the law. I tried one year an experiment with these large female lobsters with eggs attached. We used to strip the spawn into buckets. Then I got little boxes from the government in which I put the spawn with seaweed, and you would have in four or five days the spawn all stuck around it. The remainder of the summer there was any amount of spawn lobsters. We used to strip the spawn and drop it on the seaweed. In the fall the young lobsters would be swimming around as lively as possible, and we would say: 'Those are the lobsters we dropped on the flats among the seaweed.'

Q. It has been suggested that one method of protecting the berried lobsters would be for the government to buy them from the fishermen at a slight advance over the canners' price, these lobsters to be liberated at once. You say you would get them again the next day?—A. Yes, the next day.

Q. Suppose that instead of liberating them you held them and placed them in pounds?—A. That would be the only way.

Q. Of course it is not everywhere you can find places to establish pounds. There must be an enclosure where the tide flows in and out and there is not much fresh water?—A. On our shore there are harbours, there is no fresh water at all.

Q. You think there would be an opportunity of establishing pounds here?—A. I think so.

Q. Another method of protection is to obtain the eggs from the cannery and hatch them out in hatcheries. What would you think of increasing the number of hatcheries?—A. I cannot say anything about that myself; you understand that better. Last summer towards the last we had storms very frequently which rolled the kelp into the traps, and the fishermen told me that when they pulled up the traps they found quite a number of small lobsters.

Q. What is the size limit in this division?—A. Some of the lobsters caught are 7 inches in size and in other places they are below that. They are allowed to go because it is pretty hard to quarrel with the fishermen. I would not take them at all myself, but other packers do it.

Q. What proportion of the lobsters taken in the traps are below the legal size limit of 8 inches?—A. Some days there are none at all, and other days there are about 2 or 3 to the 100. When the lobsters come ashore in shoal water about one-third would be below the legal limit.

Q. If the present size limit were strictly enforced what effect would it have upon the canner?—A. I don't think it would have any effect at all; I think it would be a benefit. In different localities there would be different opinions. I am pretty strict and I cannot get as many fishermen to fish for me as the others. As I have often told them they must not think only of to-day; there are our children to provide for.

Q. Do you think an increase in the number of canneries would result in an increased pack of small lobsters?—A. I think so.

Q. Would you favour any change in the present size limit?—A. If the present size limit were strictly enforced it would be a great benefit. Then the fishermen ought not to be allowed to fish so handy to the shore; that is what causes all the trouble. Outside they do not do much harm, but it is different inshore. They come right inshore from two or three fathoms to one fathom of water, and the first storm that comes smashes all the traps. We are at the loss of it and not the fishermen.

Q. When did lobster canning first begin here?—A. The first canner was Mr. Henry O'Leary, at St. Louis, about 44 or 45 years ago. There was no factory along the shore, except for salmon, and Mr. O'Leary bought three small houses about a mile from the shore.

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Q. What regulations were in force then?—A. There were no regulations, they were allowed to fish all summer.

Q. What was the first regulation?—A. There were two seasons, leaving out the month of August.

Q. Is it your opinion that the decrease in the quantity and size of lobsters that is taking place is due to over fishing?—A. Certainly, there is no question about it. When I came into the business 29 years ago I put up, with not half the rig I have now, 2,300 boxes and this year I went a little over 300. That is a big difference. Two seasons are all right enough but for a month the lobsters won't be fit to can and once you bring them in you cannot put them back again.

Q. Do you not think that two seasons would more quickly exhaust the fishery?—A. Certainly.

Q. Do the factories take whatever lobsters are brought to them, big and little?—A. Yes, I cannot put up as many lobsters as I would like because I cannot get the fishermen. Last year and this year I used to get lobsters from the next factory but when they found I did not want to take them too small they quit and do not want to bring me any more at all. So I think a long season encourages violations of the law. Under the present regulation we can commence fishing on the 20th April. I think that is too early. It should be the 25th before any lines are set out. Every factory should fish its own front. We have 7 boats and I am sure there were about 21 or 22 boats on the same ground. They come and run their lines crossways and some of our fishermen were a week before they could overhaul their traps.

Q. How many pounds weight of green lobsters of each size does it take to fill a pound can?—A. I cannot tell you. I never could pack out of a ton more than 8 boxes. Sometimes you can a few pounds over, but there would be 8 boxes of 48 pounds each to a ton.

Q. You say that a ton of lobsters should fill 8 boxes?—A. A ton of lobsters to 8 boxes. Sometimes they can over and sometimes less.

Q. Do you really think it takes a ton of lobsters to fill 8 boxes of 48 pounds?—A. Yes. One thousand lobsters used to pack three and three-quarter boxes. Last summer I know for a fact 1,000 lobsters went a little over two boxes, 48 pounds to the box. The late lobsters at my factory used to run more than that; they would come all summer. We fished away out in deep water. I mean when the female lobsters came ashore.

Q. It has been suggested that for the better control of the fishery the fishermen should be obliged to take out a license as well as the canner?—A. It would be just as well in my opinion. If that is done there will be less fishermen and it will be better protection. I do not think it is fair for us to pay a license to fish when all others come and occupy the ground and pay nothing at all and leave us all the expense.

Q. Do you think every cannery should be licensed to fish a fixed number of boats?—A. Yes, sir.

Q. Speaking generally are the regulations for the protection of the lobster observed in this district?—A. No, take it all through.

Q. What would be the effect of enforcing the regulations strictly?—A. The effect would be that the fishermen would quit and we would have to close up.

Q. Do you think the existing penalties are sufficient if they were strictly enforced?—A. Yes, I think so.

Q. Do you think there are canneries enough, having in view the preservation of the fishery?—A. Yes, there is too many already.

Q. How would you favour a general closing down for a number of years?—A. I have nothing to say to that.

Q. The Lobster Commission of 1898 recommended that certain sections along the coast should be closed and that those sections should be changed every few years. What would you think of that plan?—A. That would be good enough I think.

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Q. Do you think it will be possible to carry out that idea?—A. We have regulations now under which we commence to fish 20th April and close 10th July. That is sufficient and all that is necessary is to put the law in force and not catch so many small lobsters.

Q. What do you say about closing on the 1st July?—A. I would say that and I think my boys would agree too, because from the 1st July to the 10th is the time the most harm is done.

Q. Would you favour limiting the depth of water in which fishing should be allowed?—A. I think if it was general all through, a limit to the depth of water, everybody would get more benefit.

Q. What depth of water would you fix as a limit?—A. I would say not inside three fathoms and that is shoal enough.

Q. What would you think about allowing fall fishing?—A. It would not agree with us because when we had the whole year, in September it got too cold. Nobody would fish then and storms came and that was a time everybody wanted to be at their crops.

Q. I suppose a great many of the lobster fishermen are farmers?—A. You may say all.

Q. Would you be in favour of limiting the issue of licenses to pack?—A. Yes.

Q. Would you favour giving a license to every one who is competent to pack? What reason is there why you should say this man may pack and not that man?—A. You are right there. I think myself there have been too many packers allowed. Formerly everybody was better off. Then more men came into the business and they have lost their farms and their fish and are poor now.

Q. Where the applicants are competent men is there any reason why we should grant a license to one and refuse it to another?—A. Not in that case.

Q. Do you think that the canning should be subject to inspection?—A. That has been done with me. I would not object to that at all.

Q. What do you think of the policy of encouraging fishermen to co-operate in getting a license and running a cannery?—A. If young men were encouraged to start factories the old canners would not be able to get fishermen.

Witness discharged.

PETER F. RICHARD, canner, Richibucto Cape, called and sworn:—

By the Commissioner:

Q. Have you ever fished yourself?—A. Not myself.

Q. You are familiar though with the practice of the fishermen?—A. Yes. In my family we are three brothers and everything goes in my name.

Q. You run the cannery?—A. Yes.

Q. Do your brothers can or fish?—A. One of my brothers is a sailor and the other a farmer. He has a rig and he hires himself to fish.

Q. How many boats have you?—A. We have three boats and there are three other boats that we pack the fish for.

Q. Under what arrangement do you buy your fish?—A. We charge them so much a box for canning it.

Q. Is the pack decreasing or otherwise in your neighbourhood?—A. This has been a poor year.

Q. What do you attribute it to?—A. It is hard for us to say what was the cause.

Q. Had you good weather?—A. The weather was not very good all through. It was windy and the fish were closer than they used to be.

Q. How long back does your experience of canning go?—A. I cannot tell exactly; perhaps eight or nine years.

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Q. Are you fishing a larger number of traps than you did when you began?—A. Yes.

Q. Does it take more traps than it formerly did to keep up the supply?—A. Yes.

Q. What is the average number of traps fished by the fishermen in your district?—A. 240 and 250.

Q. What time do they put out their traps?—A. The season opens on the 20th April, but some times we cannot begin on time on account of the ice.

Q. In what depth of water do you put out your traps?—A. I cannot tell that. Some fishermen go very far out and others do not go out so far. They fish at 7, 7½, 8, 9 and 10 fathoms of water.

Q. Would that be a good way off shore?—A. A good way, yes.

Q. Then as the season advances do they bring their traps inshore?—A. Sometimes they do and sometimes the lines remain outside all the time. Sometimes the fishing is better inside and they bring their traps in.

Q. How close in do they come?—A. The distance was never measured.

Q. Into what depth of water?—A. I never inquired.

Q. Do they come into less than three fathoms of water?—A. No, I don't think it. There are a few lines, about 30 or 40 lines, they set in shoal water here and there.

Q. Is it late in the season when they do that?—A. During the fishing season.

Q. During the whole fishing season?—A. Some times and some times they do not set them. When the fish come inside they set them.

Q. When you set your traps in deep water do you get a larger run of fish?—A. We used to get a larger run of fish at the beginning of the season on the outside.

Q. Is it not your experience that late in the season and in shoal water you will get smaller fish and a greater number with eggs attached?—A. They will get them closer in to the shore.

Q. Do you think the small traps that are fishing in a fathom and a fathom and a half of water get a larger percentage of small lobsters and lobsters with ripe berries?—A. Yes, sir, I think so.

Q. Do the fishermen own their own boats and gear?—A. Some do and some do not.

Q. Do you think the lobsters come in shore for the purpose of spawning?—A. That is what we have always believed.

Q. During what months do you think most of the lobsters spawn?—A. We always thought that they spawned towards the last of July up to the last of August, because if you get a lobster then it is changing its shell and is soft.

Q. Do you think it would be wise to keep the lobster fishing farther off shore and thus protect the small and berried lobsters that come into the shoal water?—A. I think that would be better.

Q. Is there any part of the season when you think lobsters are not fit for food?—A. They say that now is the worst time of the season when the lobster is changing its shell, and that the fish put up now are no good.

Q. What is the smallest lobster you ever saw with eggs on her?—A. I have seen some of all sizes. We sometimes get small lobsters just inside the bar, twenty yards from the shore, they are small and they have eggs on them. They are 4 or 5 inches in size.

Q. You think you have seen lobsters as small as 4 or 5 inches with eggs on them?—A. I do not remember if I have seen them with eggs, but I have seen them that size inside the bar.

Q. You do not know then the size of the smallest lobster you have ever seen with eggs?—A. No.

Q. Have you any idea of the general run of the lobsters that have eggs? Some of them must be good lobsters. How many lobsters out of a hundred would you say bear eggs?—A. Sometimes in a boat you will find one or two, sometimes there are half of them.

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Q. When would you expect to find the half of them egg-bearing?—A. At the last of the season.

Q. What is the practice here, do the fishermen bring everything they catch to the factory?—A. Some do and some do not. Some throw all the small ones out and some bring them all ashore.

Q. Does the canner make any objection to receiving any lobsters the fishermen bring him?—A. I suppose the canner takes everything that comes.

Q. Do you think it would be possible to get the fishermen to return the berried lobsters to the water and thus save them?—A. I don't think it would be a good plan because when there are half of them with eggs the fishermen will kick.

Q. You understand that we must do all we can to save the berried lobsters. It is the destruction of the eggs that is injuring the lobster fishery?—A. I suppose so.

Q. What would happen if the canners refused to take the small and berried lobsters? Suppose they said: 'We will not take any lobsters under 8 inches nor any berried lobsters.' What would happen if they all did that?—A. The fishermen would have to throw them back.

Q. How do you think we could best save the berried lobsters, do you think we could buy them from the fishermen and hold them in pounds until the close of the season?—A. That would be the right plan.

Q. Could you tell me what percentage of the lobsters are below the 8-inch limit all through the season?—A. Only Mr. Girouard who measured the lobsters can give you that information.

Q. Yes, but I want your opinion. Give me your idea of what percentage of the lobsters you take are below the 8-inch limit?—A. Not many are below 8 inches.

Q. What do you think would be the effect if the law were strictly enforced, if canners were compelled not to accept berried lobsters and lobsters under 8 inches?—A. I don't think the canners could go on; they could not work I suppose.

Q. What do you think about the practice of restricting the number of licenses to canners, do you think we should issue any more?—A. No, I think there are plenty out now, too many.

Q. Do you think we should encourage the fishermen to club together and get a cannery license for themselves?—A. No, I don't think it. I think it would be a bad thing. If too many clubbed together and did that we wouldn't be able to get fishermen for the old stands.

Q. Is there any reason for having a smaller size limit or a different season in one district than in another; do you think it is a wise thing to do, or are you of opinion the season should be the same everywhere inside the gulf?—A. I think so in my opinion.

Q. Do you think it is a wise thing to allow small lobsters to be taken, must it not have the effect of spoiling the fishery for the future?—A. Yes, if they are taken too small, under 6 inches anyway.

Q. Do you know if it is the case that canners are compelled to accept small and berried lobsters for fear of losing their fishermen who would in case of refusal to take illegal lobsters go to less scrupulous canners?—A. I think those that have their own rig would do that. Where a man is hired by the month or the season it makes no difference to him.

Q. How many pounds weight of green lobsters does it take to fill a pound can?—A. At our place it generally takes $4\frac{1}{2}$ and $4\frac{3}{4}$ green lobsters to fill a pound can. That is two half pounds, we generally put the fish in half pounds.

Q. Does your can contain a pound of meat or do you make some allowance for the fluid?—A. I think they make some allowance for the fluid. They only, I think, take $7\frac{1}{2}$ ounces for half pounds.

Q. What is the best month for fishing in this neighbourhood?—A. It used to be the early spring. Spring fishing used to be the best here, but this year it has not been.

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Q. When was the best fishing this year?—A. It was the same all through the summer.

Q. One season with the other, what is the best time for fishing?—A. The month of May.

Q. It has been asked that fall fishing be allowed in some districts, what would you say to that?—A. We would like to have a spell in the fall.

Q. Do you think it would be profitable to bring the gear ashore and then start again in the fall?—A. They could fish with smaller gear.

Q. They could fish with less gear in the fall?—A. Yes.

Q. Would you favour issuing a canning license to every one competent to pack?—A. No, sir, because there are too many now.

Q. What would you think about inspecting the pack?—A. That would be a good thing, for there would be lots of bad fish going on the market.

Q. Is there bad fish going on the market at present?—A. There was some this year.

Q. There is a certain proportion of bad fish marketed every year and it must affect the price?—A. Yes, I think so.

Q. Are you aware of any complaints made by the fishermen that the price paid by the canner is not satisfactory; are the fishermen generally satisfied with the price they get?—A. Not generally; they want a little more.

Q. Is it the case that any fishermen have lost their lobsters owing to the canners refusing to accept them?—A. Not that I know of.

Q. Is the price paid for lobsters this year the same as last?—A. No, sir, it is under. It was $11\frac{1}{2}$ last year and 9 this year. That is what we get ourselves.

Q. What do you pay the fisherman when he is selling by weight?—A. \$1.10 to \$1.15 is what we generally pay. We hire them by the hundred or by the season.

Q. What did you pay this year?—A. We hired nearly all by the season this year.

Q. Would there be any market for live lobsters in this district if the canneries were shut down?—A. I suppose the fishermen would not fish.

Q. There is no way of shipping live lobsters to market?—A. No, there is no chance here to send them.

Q. Are there any live lobsters shipped from here?—A. Not that I know of down here.

Q. The opportunity to do it is not available and there is no price then for live lobsters here?—A. No.

Q. Can you say whether the hatcheries help to keep up the supply of lobsters or not?—A. Yes, sir.

Q. Would you approve of having more hatcheries?—A. We could have one in this county, either in Buctouche or Richibucto.

Q. What do you think of the system of placing lobsters in pounds?—A. I would be in favour of that.

Q. Is there anything else you would care to say?—A. I would like to have two seasons for fishing lobsters. I would like to fish the lobsters in the fall. I would like to have from April, practically from the beginning of the season, to the last of June, and then another season from the beginning of August for six or seven weeks.

Q. Do you think fishing should be limited to a certain depth of water?—A. It should not be allowed inside of two fathoms. It should be kept out because we have flat rocks and reefs. For six fathoms of water the fishermen have to go a long distance off.

Q. Do they fish 'curlies' here now?—A. They used to, but not now.

Q. They used to fish in shoal water?—A. Yes.

Q. What made them stop?—A. When they fished those traps they could get fish inside at the very end of the season, but at the beginning they could get none. Then they stopped altogether fishing 'curlies.' Another thing would be, supposing a line

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was set here and another fisherman comes inside and runs over that man's line. There is difficulty in getting the last man to take his line away. Some times you have to cut him and some times he will cut you and make a row. There should be a certain distance allowed between the two lines and the fishermen ought not to go inside that distance.

Q. There should be some regulation then to prevent confusion and to prevent one fisherman's lines running over those of another?—A. Yes, sir.

Q. Do you think that as well as limiting the number of canning licenses the number of traps fished by a cannery should be limited?—A. I think so. Mr. O'Leary gets on our stand. He has about 20 or 25 boats taking up our fishing ground and we cannot stand against him. The same with Mr. Loggie.

Q. Then you would limit the number of traps fished by a canner and the number of traps fished by a boat?—A. Say to 250 to a boat; not one more. You could put 200 if you liked, but none above that. I would just say that a man like Mr. O'Leary ought not to be able to put out more boats than anybody else.

Q. Should not the number of licenses issued to one man be limited?—A. Yes.

Q. I suppose there have been cases where a firm has advanced money to a cannery and it has made default and been taken over?—A. The large cannerys have gradually swallowed up the smaller ones and have got the licenses issued in their own name.

Witness discharged.

ANGUS DURANT, fisherman, Richibucto, called and sworn:—

By the Commissioner:

Q. Where do you fish?—A. I belong to the town and fish off the mouth of the river.

Q. For whom have you been fishing this year?—A. For Mr. O'Leary.

Q. What do you do when you are not fishing lobsters?—A. I am a carpenter.

Q. How long have you been fishing?—A. Since I was able to go in a boat.

Q. How old are you now?—A. Fifty-one.

Q. Have you always fished off this place?—A. I have been fishing from Escuminac to here.

Q. Are there many other fishermen fishing in the same locality?—A. Quite a lot of them.

Q. On what lay are you fishing this year?—A. I am fishing a rig of my own.

Q. And you sell your lobsters?—A. Yes.

Q. And you have been selling them to Mr. O'Leary?—A. Yes.

Q. How far off shore do you begin to fish?—A. We begin to fish about four miles off the shore.

Q. In what depth of water?—A. There would be 10 to 11 fathoms.

Q. When do you go out there?—A. We go out there as soon as we are able to put a boat in the river, as soon as the ice is gone.

Q. The season begins on the 20th April, is the ice always gone then?—A. Yes, the ice is always gone then.

Q. Do you think there is any reason why there should be any date fixed for commencing to fish in the spring?—A. I think so.

Q. And when do you stop fishing here?—A. We stop fishing the 10th of July.

Q. The law says you are not to take any berried lobsters or any lobsters under 8 inches?—A. Yes, sir.

Q. Do you begin to fish out in 10 or 11 fathoms of water and then gradually come in shore?—A. Yes.

Q. How long do you fish in deep water generally?—A. About three weeks. Then remove the traps inshore.

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Q. How far?—A. We move them into as much as about six or seven feet of water.

Q. Do you do that all at once?—A. All in one move.

Q. And you come into six or seven feet of water?—A. There would be two or three fathoms on the outside of the line. On the inside six or seven feet of water.

Q. Are the lobsters decreasing since within your recollection?—A. Yes, sir, they are.

Q. When you first began to fish did you get a very much larger run of lobsters than you do now?—A. Yes, sir, quite a lot larger.

Q. Are you fishing more gear now than when you began?—A. Not much more, very little more.

Q. But there are a great many more boats fishing?—A. A great many more in it than there was at that time.

Q. What number of traps does a man generally fish?—A. Generally from 200 to 250 traps in a boat to two men.

Q. Do you use the same trap now that you used to fish with?—A. Yes, the same trap.

Q. Is it the old fashioned trap?—A. Yes, sir.

Q. With a hole in each end?—A. Yes, sir.

Q. You don't fish the parlour trap?—A. A few have a small quantity once in a while.

Q. Are you taking much smaller lobsters than you used to take formerly?—A. When we began we used to take a little one like we do now. Of lobsters six or seven inches in size we get more than when I commenced to fish.

Q. Was it always the practice to take the small lobsters as well as the big ones?—A. The practice was to chuck them overboard at first. You chuck them overboard to-day and to-morrow they are back again.

Q. And then you decided to do what?—A. Take them all and bring them to the cannery.

Q. Do most of the fishermen own their own gear?—A. No, the most of them fish for the cannery.

Q. And they use the gear and boats belonging to the cannery?—A. Yes.

Q. Are there many fishermen fishing by weight here?—A. They were all fishing by weight this year for the first year.

Q. What led to the change?—A. The canners claimed last year they had to pay too much by the hundred, too much money per hundred. So they claimed if they took them by weight they would get them cheaper and would not have to pay so much money.

Q. What do the canners pay by the hundred?—A. The man who is fishing his own gear is getting \$2.50 per hundred.

Q. And the men fishing canners' gear?—A. They are getting \$1.50.

Q. Do you think it would be wise to license the lobster fishermen?—A. No, because we are not making the money. The fisherman has a hard time to keep everything together. He is not the man that is making the money.

Q. How does the price paid for lobsters now compare with what they used to get?—A. Last year we used to get \$11 a box.

Q. I mean what is the fisherman paid per hundred?—A. Last year he was getting \$3 a hundred.

Q. This year the price was cut down?—A. This year it was cut down.

Q. What was the best price you ever got?—A. The best price I ever got was \$3 a hundred.

Q. And when you first began to fish?—A. I was getting \$1.50 a hundred.

Q. Is there any competition as to price or are you forced to accept what the canners offer?—A. No, sir, we are not forced to accept the price they offer.

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Q. You either take it or leave it?—A. Either take it or leave it.

Q. Does one canner pay more than another?—A. No, sir.

Q. Do you think all agree to pay the same amount?—A. As far as I know they do.

Q. What is your practice with regard to small and berried lobsters; do you take them all to the factory?—A. Yes, sir.

Q. Does the factory object to receiving them?—A. No, sir.

Q. Then you take to the factory everything you catch?—A. Yes, sir, but anything under 6 inches we don't take at all.

Q. Do you expect the canner to take anything you bring to him?—A. Yes, sir.

Q. What do you think is the spawning time for lobsters?—A. July.

Q. Do you think the lobsters come inshore to spawn in shoal and warm water?—A. Yes, sir.

Q. Do you find more spawn lobsters inshore than you do outside?—A. Yes, sir.

Q. Do you think there is any time when the lobster is not fit for food?—A. Yes, sir, from the 15th to the last of July.

Q. What is the best month for fishing?—A. May.

Q. Out of every hundred lobsters you catch how many are females with eggs?—

A. Generally in May we don't get much; we get them in July.

Q. More female lobsters?—A. Yes, sir.

Q. And more small lobsters?—A. Yes, sir.

Q. What would you say was the smallest lobster you ever saw carrying eggs?—A. About 7 inches.

Q. Not very many I suppose?—A. Very few from 7 to 8 inches.

Q. What do you think is the average run of the female lobsters with eggs?—A. You will get them from 8 to 13 inches.

Q. What is the average run in lobsters here?—A. About 8 inches I would say.

Q. What would you say as to the best plan for us to adopt to save the female lobster with eggs?—A. The best plan is to have a hatchery and put the eggs in it.

Q. What would you say to buying the female lobsters with berries from the fishermen and placing them in pounds to hatch out themselves?—A. I don't know much about that because that is a thing I never saw.

Q. How do you think we could best influence the fishermen so as to save these berried lobsters and not bring them to the cannery?—A. The only way it could be done I suppose is to make a bargain with the man who runs the factory and the man who has his own traps to buy the female lobsters from them.

Q. You do not think the fishermen could be induced to put the berried lobsters carefully in the water?—A. The fishermen with another man's rig; they have got to do what the boss tells them to do.

Q. If the boss told them to put the berried lobsters back into the water would they do it?—A. No. They would say: 'We will stop fishing because we cannot make a living.'

Q. How would it be in the case of men paid by the month?—A. It would be the same thing to them.

Q. Are the regulations observed at all?—A. No, sir, they are not observed, and I am going to tell you the reason why. To keep the regulations they would say: 'We will not go at it at all; we will close up everything. We cannot pay the expense.'

Q. Is the practice of stripping the eggs off followed here at all?—A. It was never done to my knowledge.

Q. Because you always brought the berried lobsters to shore?—A. Yes.

Q. Have the cannery ever objected, to your knowledge, to taking berried lobsters?—A. They did once for a year or two.

Q. How long ago was that?—A. That is a good spell ago; it must be 16 or 17 years ago.

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Q. Why did they object then?—A. The lobsters were pretty plentiful and they had enough besides the berried lobsters to do their business. But now they cannot afford to do it because their business without them would not pay.

Q. Would it be a very easy thing when a large quantity of lobsters is brought to the cannery to cull them and pick out those with berries?—A. It would be an easy thing to do.

Q. Do you think that a female lobster that has been in the boat all day covered up with other lobsters would live after being brought to the cannery?—A. Yes, sir.

Q. Do you think she would still have enough life in her then?—A. Yes, if looked after. You see the fisherman has got to look after every lobster because when they are dead they are no good. He has got to look after every one so that they may be alive when he comes ashore.

Q. Do the canners refuse dead lobsters?—A. Yes, sir, all the canners.

Q. Do they cull them over at the cannery to see that there are no dead lobsters?—A. When they go over them to see whether there are any dead ones they do not count those at all.

Q. Do you think the fishermen would refuse to deal with a canner who insisted upon the law being carried out?—A. Everybody does the same or the fisherman would not be able to make a living.

Q. Then the canners are all alike in accepting the lobsters that are brought?—A. Yes, as a rule. What one does the others do.

Q. Then you see no way of getting the fishermen to save the berried lobster unless he brings it ashore and sells it?—A. No, sir.

Q. Are you aware of any fishermen having lost his catch of lobsters by the canner refusing to buy them?—A. No, sir.

Q. Would you favour giving a license to every man who applied for it?—A. Yes, sir.

Q. How would you fix the standard of qualification? A man would have to show that he was able to can lobsters; how would you regulate that? You know there are lots of men that could not can properly.—A. Along this shore the fishermen are all able to can lobsters, every one of them. It might be different with a new man, a young fellow that goes into business, but the average man around here is able to can.

Q. It is proposed to issue licenses to clubs of fishermen, to a number of fishermen who join together and can lobsters on the co-operative plan. You have had one license issued here this spring on that plan. Would you favour doing that sort of thing?—A. I think so.

Q. Do you think there are enough canneries in existence at present?—A. There are enough canneries in one way to can all the lobsters that are put up but there is another thing to look at besides that. Take the case of a man that is fishing his own rig. They say to you 'We will give you \$2 a hundred for lobsters,' and we see a way to make \$4 a hundred. Why can't we have the privilege of making \$4 the same as the other man? We ought to have the same privilege that the other man has.

Q. Would you restrict the number of boats fished by each canner?—A. No, sir.

Q. You would allow the canner to fish as many boats as he likes?—A. Yes, because it would be an unfair thing otherwise. There are so many men trying to make a living and if you restrict the number of boats you may throw half of these people out of jobs. They would not know what to do. They would be unable to make their living on account of that. If you give them a chance to do the same as the rest they will not make much money, but will make a living anyway.

Q. If the present regulations preventing the taking of berried and undersized lobsters were strictly enforced how would it affect the canner?—A. He would have to shut down.

Q. Do you know anything about the shipping of live lobsters to the market?—A. I do.

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Q. Did you ever try it?—A. I never tried it here, but I have seen them shipped.

Q. Do you think it is the more profitable way for the fisherman to dispose of his lobsters?—A. Yes, sir.

Q. Is there any chance to do it here?—A. I suppose there will be a chance, what there is in other places.

Q. In other places they have got fast trains and the distance is shorter to the market?—A. There may be something in that.

Q. If the canneries were all closed down what would happen?—A. I would have to leave the lobster fishing alone.

Q. There would be no chance for all hands to carry on the live lobster trade?—A. No.

Q. Do you think the fishermen are getting a fair price for their lobsters from the canner?—A. Not this year.

Q. They say the market has fallen?—A. They claim the market is bad. We have got to allow something for that.

Q. Do you think there is any combination on the part of the canners to keep the price down?—A. I don't think so.

Q. Do you think that the fishermen would make more money if allowed to can for themselves?—A. In some places they would.

Q. Would you advocate establishing a hatchery the same as they have at Shemogue; do you think that has done good?—A. Yes.

Q. Have you ever heard that more lobsters are seen owing to the operation of that hatchery?—A. Yes.

Q. Would you be in favour of having more hatcheries?—A. Yes. I think the hatchery is very good, I think there ought to be one here.

Q. You told me that there has been a decrease in the size of the lobsters. Do you think that decrease is going on yet or has it stopped?—A. No, for a few years back it has kept just about the same.

Q. The decrease took place years ago not recently?—A. Yes, about 10 or 15 years ago.

Q. Of recent years there is not much of a decrease?—A. No, it keeps just about the same.

Q. What do you think was the cause of the decrease in size of the lobsters?—A. I think the reason was the season was too long.

Q. And they fished the lobsters out in the beginning?—A. Yes. A few years ago they used to fish in August. I think that was the time they did the harm.

Q. What is the best period of the fishing season with you?—A. The month of May.

Q. What is your opinion about fishing in the fall?—A. I think it would be a very good idea. I would fish a shorter time in the spring of the year, commence about the 10th of May till the last of June and have a month or a month and a half in the fall, beginning in September.

Q. Have you had any experience as to the character of the lobsters in the fall; are they as good as they are in the spring?—A. Yes.

Q. Just as full?—A. Yes, sir, some years better.

Q. Do you see many berried lobsters in the fall?—A. No, sir.

Q. Supposing there was no fall fishing, what would you suggest as the best regulation to keep the supply of lobsters up?—A. We cannot make it much better than it is now. I think there should be a time to commence in the spring.

Q. You have the 20th April?—A. It is too soon.

Q. Why is it too soon?—A. Because in some places outside where there is no harbour they can commence that time and fish, and when there is a river or some such place the fisherman cannot get out. So the other fellow has the advantage.

Q. Do you think it would seriously cripple the fisherman and the canner if fish-

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ing were stopped on the 1st July instead of the 10th?—A. I think it would be a very good idea to stop on the 1st July.

Q. It is your opinion that during the last few days of the fishery the most harm is done?—A. Yes, sir, that is my opinion. I think from the 1st July there ought to be no fishing at all.

Q. Would you limit the depth of water; would you keep the fishermen outside in a certain depth of water?—A. No, sir; it is not very easy to do that; it will be quite a bother to do it. The way it is one fellow might go pretty well out and have very shoal water. Another fellow not so far out might have deeper water. It just depends what coast he is on.

Q. There are places where there are lagoons and bars inside which the lobsters try to get. Would you protect the lobsters where they are in such places?—A. Yes, sir.

Q. You would keep the fishing in the open off shore?—A. Yes, sir, off shore.

Witness discharged.

Mr. GUIMOND recalled:—

By the Commissioner:

Q. Do you wish to add anything to your former testimony?—A. In regard to the female lobsters with berries you should try and fix it some way so that the fishermen could get clear of them. If you are going to punish them every time they bring us such lobsters they will do what they have done in old times—they will have a scraper and scrape all the berries off. To have a pound and turn the berried lobsters in there and let them spawn for themselves is the surest.

Witness discharged.

J. H. BAIRD, manager, Richibucto, called and sworn:—

By the Commissioner:

Q. You are the manager here for what firm?—A. A. & R. Loggie.

Q. How long have you been connected with lobster packing?—A. About two years.

Q. Then your experience is quite recent?—A. Yes.

Q. How many boats do you employ at this cannery?—A. About 18 boats, two hands to each boat.

Q. What number of hands do you employ in the cannery, men, girls and lads?—A. About 25 I suppose altogether.

Q. What is the capacity of the cannery, what do you pack here?—A. That varies.

Q. What did you pack this year?—A. About 500 cases.

Q. And last year?—A. Last year it was between 700 and 800, I think.

Q. What is the total capacity of the cannery?—A. I can hardly say as to that. It depends on the number of girls you have.

Q. What is the best pack that has ever been made in the cannery to your knowledge?—A. I could not tell you what was packed at this factory before my time.

Q. Are you fishing a larger number of traps than you used to fish formerly?—A. A few more, yes.

Q. Can you speak of your own personal knowledge as to the condition of the fishery?—A. It is not as good this year as it has been the last two years.

Q. But in a general way is the fishery decreasing?—A. Last year it seemed to be better and this year it is poorer.

SESSIONAL PAPER No. 22a

Q. Is it your opinion that the supply of lobsters has been kept up by packing lobsters that were formerly rejected?—A. I could not say.

Q. Do you think they packed these small lobsters in the early years?—A. They probably did not run as small, I could not say as to that.

Q. Do the fishermen own their boats and gear or do you supply them?—A. Both.

Q. What percentage of the fishermen fish their own gear?—A. I suppose there is with us here very nearly one-half.

Q. Are you paying the fishermen who own their own gear by weight?—A. Yes, by weight.

Q. What is the price paid by weight?—A. The price paid by weight this year is \$50 a ton.

Q. How was it last year?—A. Last year it was higher.

Q. What is the reason for paying less this year?—A. On account of the price of lobsters going down.

Q. How are the other men engaged, by the run, by the season or how?—A. We have most of them engaged by the season.

Q. Are there many on shares?—A. Not many on shares.

Q. Do the fishermen begin to fish farther off shore early in the season?—A. Yes.

Q. In what depth of water?—A. It depends on the place they fish. If it is rocky bottom they go out in deep water.

Q. And do they move their traps inshore as the season advances?—A. Yes.

Q. Have you noticed that the early run of lobsters caught in deep water is a better one than those caught later in the season?—A. Yes.

Q. Do they get more berried lobsters later in the season than they do at the beginning?—A. I should imagine they would.

Q. Out of every 100 lobsters brought to the factory how many are berried?—A. I could not tell you. There are some berried lobsters.

Q. Are the regulations observed?—A. Yes, they are observed.

Q. In what way?—A. As far as can be. I suppose there are times when lobsters that run a little smaller than the regulations allow are canned.

Q. Is it the practice of the canner to refuse anything that is offered?—A. Yes, it is. It has been this year particularly. Other years it would not be so much. I know last year it was pretty hard, the fishermen made such a kick over our refusing any lobsters that were brought in.

Q. And what about this year?—A. There have not been so many lobsters taken probably. The run is no bigger for sure.

Q. Have you refused to take undersized or berried lobsters?—A. Yes, in the factories we have.

Q. Have you always refused?—A. As much as possible we have refused.

Q. Because the general trend of the evidence is that the regulations are not observed?—A. The fishermen have a lot to do with that. They kick so much about it.

Q. Then will you say that you are obliged to accept what the fishermen bring?—A. Well, I suppose so; we cannot say exactly that. We avoid trouble with them sometimes.

Q. Have you taken illegal lobsters because if you refused to do so they would take them to other canners who would not decline?—A. Yes, there is something in that too.

Q. Do you think there is any part of the season when lobsters are not fit for food?—A. No, no time during the season.

Q. At any time during the year?—A. Not to my knowledge.

Q. Could you give me any idea of the average size of the lobsters you took this year?—A. It is pretty hard to say.

Q. How many lobsters does it take here to fill a pound can?—A. I could not tell you that.

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Q. Have you any statistics or data on the subject?—A. The only way to get at that would be if we had the man in charge of the factory.

Q. Do you think it would be possible to get the fishermen to undertake to return to the water all berried lobsters?—A. Yes, I think it could be done if all the packers stood out.

Q. How about undersized lobsters?—A. The same thing would apply to those. Still it would be harder with the undersized lobsters.

Q. If the law were rigidly enforced as to undersized lobsters would you still be able to continue packing?—A. No, I don't believe we would.

Q. What would be the best method of protecting the berried lobsters?—A. I should think the best way would be to have a hatchery.

Q. Could you give me any idea of the proportion of lobsters taken in the traps that are below the legal size?—A. No, I could not.

Q. Do you think the number of canneries is sufficient at present?—A. Yes, I should say so.

Q. In your opinion would an increase in the number of canneries result in an increased violation of the law?—A. I don't know about that. I daresay that might be the case.

Q. Would you favour an increase or decrease in the present size limit?—A. I am not prepared to say.

Q. Do you think there has been any noticeable decline in the average size of the lobsters in your district within the last ten years?—A. I could not say.

Q. What do you think has caused the decrease in the size of the lobster?—A. I don't know at all.

Q. What would you attribute it to; there must be a reason for this falling off from the originally good condition of the lobster fishery?—A. I am not prepared to say.

Q. You do not think it is the result of overfishing?—A. Well, it was thought that at one time. Still last year the lobsters were better than they had been these last few years.

Q. Do you think that different size limits and different seasons in adjoining sections of the coast are unsatisfactory and encourage violations of the law? What do you say to having a different season within three miles of you from what you have here?—A. I think it is necessary.

Q. Do you think there is as much reason for having a long season here as there is down there?—A. No, you take around Buctouche bay they are catching lobsters here when they don't catch them there. At the end of our season they are catching lobsters when it is not worth while catching them here.

Q. Could they not begin the same time as you do?—A. I am not prepared to say on that point.

Q. Do you think it is wise to kill off the young lobsters before they have reached the age at which they can reproduce themselves?—A. No.

Q. What would you think of a regulation doing away with the size limit altogether, but materially shortening the season?—A. I would not favour shortening the season.

Q. Would you favour doing away with the size limit?—A. No.

Q. Is it the case that cannerymen are compelled to accept undersized and berried lobsters for fear of losing their fishermen who would, in case of refusal, go to other cannerymen who are less scrupulous?—A. Yes.

Q. What would you think of licensing the fishermen, do you think it would have the effect of making them more careful to observe the law?—A. I don't know that it would.

Q. In the event of persistent violation of the regulations by a canneryman would you advise cancelling his license?—A. That would be the only way to do.

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Q. What would you think of a general closing down of the canneries for some years with the object of renewing the fishery?—A. I am not prepared to offer an opinion on that.

Q. During what period of the open season is the lobster fishery most actively prosecuted?—A. Along in June seems to be the best season here and the latter part of May. June is always good up to the 15th or 20th.

Q. What would you think about allowing fishing in the fall?—A. I should think not.

Q. Is the present regulation restricting the number of canning licenses satisfactory?—A. Yes, I should think so.

Q. Do you think it would be possible to establish a standard of fitness for lobster canneries?—A. I should think it would be possible and it should be done.

Q. And do you think that some system of inspection should be adopted?—A. Yes.

Q. Would you refuse a canning license to an alien?—A. I would say so.

Q. Do you think the fishermen would make more money if allowed to can?—A. No, I do not.

Q. What do you think of the policy of encouraging fishermen to co-operate in canning?—A. I cannot see that it would be of any benefit to them.

Q. How is the price paid to the fishermen for lobsters established; does every canner pay what he pleases, or is there any arrangement as to what he shall pay?—A. Every canner pays what he pleases.

Q. And the fishermen can either take it or leave it?—A. Yes.

Q. Are you aware of any complaints made by the fishermen that the price paid by the canners is not satisfactory?—A. No, not in a general way.

Q. There are always individual cases of grumbling?—A. There are always kickers.

Q. Are you aware of any fisherman having lost his catch of lobsters by the canner refusing to accept them?—A. No.

Q. Have the canners on account of the abnormal market conditions, or for any reason whatever, reduced the price paid to the fishermen for lobsters?—A. They have reduced the price this last year owing to the state of the market.

Q. What market would the fishermen in this district have for their lobsters if canning were stopped?—A. They would not have very much of a market.

Q. There is no opportunity for shipping the live lobsters? There are no facilities here in the way of cold storage, refrigerator cars, &c., for handling live lobsters?—A. No.

Q. Do you think that the number of boats fished by each cannery should be limited?—A. No, I don't think so.

Q. Do you think that the absence of any such restriction permits the large canner to crowd out the small fellow?—A. No, I cannot see how it does.

Q. If one man with more capital is allowed to fish any number of boats and traps, must it not have the effect of crowding out the others?—A. Well he may be in a position to crowd them out probably by having more capital.

Q. Do you think any of the smaller canneries have been crowded out?—A. I could not say in the two years' experience that I have had.

Q. Do you think a limit should be put upon the number of canneries that any one man should be licensed for?—A. I am not prepared to say.

Witness discharged.

Commission adjourned.

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BUCTOUCHE, July 27, 1909.

WILLIAM JAMES CAMERON, manager, St. Thomas, called and sworn:—

By the Commissioner:

Q. For whom do you run the cannery?—A. For Mr. W. S. Loggie.

Q. How long have you been engaged in the lobster industry?—A. This is my fourth season as manager.

Q. How long have you been connected with the fishery?—A. Seventeen years.

Q. Did you use to fish before occupying your present position?—A. Yes, sir.

Q. How many boats do you employ?—A. There are two factories, 8 boats to each, fished by 2 men to a boat.

Q. How many hands do you employ in the cannery itself, men and girls?—A. There are always 3 men and 14 to 15 girls in each factory.

Q. Is the capacity of each cannery about the same?—A. Just about the same. Some years we used to put up over 500 cases.

Q. You are still at work and do not know what the pack will be this year?—A. No.

Q. What was your pack last year?—A. Over 330 cases at each cannery.

Q. Have you any idea what was the best pack these canneries have ever made?—A. The best pack? With 7 boats they put up 560 cases.

Q. How long ago?—A. About 8 years ago.

Q. What number of traps do your boats fish?—A. Two hundred and fifty.

Q. On what lay are the men?—A. All on wages by the month.

Q. What is the average wage paid?—A. This year it is a little different. It always used to be \$25 to \$30. This year it is a little less, \$27.

Q. That is due to the poor market, is it?—A. Yes.

Q. Do the fishermen own the boats and gear?—A. No, they belong to the factory.

Q. What is the best period of your fishing here?—A. It has always been at the last of the season.

Q. What is your season?—A. We begin on the 25th of May and close on the 10th August.

Q. How long has this season obtained?—A. About ten years.

Q. Before that what season did you fish?—A. The same as up north, knocked off on the 10th July.

Q. Is it taking more gear now to catch the same amount of lobsters than it did when you began to fish?—A. I think it does.

Q. Are the lobsters as large as when you first began?—A. I don't see any difference, they are just about the same size.

Q. What is the size limit here?—A. Seven inches.

Q. Not 7 inches but 8 inches. What is the average size of the lobsters that are brought to the factory, about what will they run?—A. That is pretty hard to say, I never measured any of them.

Q. Still you have a general idea?—A. There are very few lobsters under 7 inches.

Q. Were the lobsters that were brought to the factory measured this year?—A. Yes, there was a man went round for that purpose.

Q. Are the regulations requiring no berried and no undersized lobsters to be taken closely observed here?—A. Yes, since I have been manager there have not been any brought ashore with berries on them. As to small sized lobsters we are not so particular.

SESSIONAL PAPER No. 22a

Q. But in the case of berried lobsters you have observed the regulation?—A. Yes, sir, very strictly.

Q. Have you notified the fishermen that they must not bring them in?—A. Yes, notified them when I took charge not to bring in any berried lobsters.

Q. But as to the small ones what do you do?—A. The small ones we can them as we catch them.

Q. You take anything in the shape of small lobsters?—A. Unless it is something awful small. Anything too small it would not be any use to bring them in. There is nothing in it for canners.

Q. What is the best time of fishing?—A. Coming on the last of July.

Q. When do you begin to notice that the run of lobsters is coming in?—A. Commencing about the 10th July. Outside now it begins to rise. With the inshore lines it slackens off.

Q. Are the shoal lines not doing so well now?—A. Not so well.

Q. Is that the case every year?—A. Every year.

Q. Late in the season will the shoal lines do better?—A. They say in September they do better again.

Q. Do you know if the practice of stripping or washing off the eggs from the berried lobster is practised by the fishermen in this neighbourhood?—A. I don't know at all.

Q. You say it is the practice of the fishermen here to return to the water all berried lobsters they take in the traps?—A. Yes, sir, that is the orders. We don't can any but give strict orders not to bring them in. I don't say there are not lobsters put in by mistake but that is the strict orders and I think it is so all along the shore.

Q. If the regulation were strictly enforced here as to the size limit would the canners be able to continue packing?—A. I think it would pretty hard. You say it was 8 inches. That would be pretty hard.

Q. A great many witnesses say that if the size limit were enforced, many canneries would have to close down?—A. I think they would too.

Q. Is it your practice to make any examination of the lobsters as they come in to see that there are none with berries?—A. Yes, sir, it is. We give them strict orders not to bring them in.

Q. And they are not brought in?—A. They are not brought in.

Q. Could you tell me what proportion of the lobsters you receive are below the size limit?—A. It would not be much I tell you.

Q. Can you see what the percentage is?—A. There would not be many. It would be hard for me to give you an exact idea.

Q. And you think if the size limit were strictly enforced it would cause the closing down of the canneries?—A. There is a misunderstanding between you and I. I take down to 7 inches and you say 8 inches. Between 7 and 8 inches there is a big difference. If it came to 8 inches it would make a big difference. At 7 it would not make so much.

Q. Has there been any noticeable decline in the average size of the lobsters brought to your cannery during your recollection?—A. No.

Q. Are the lobsters running as large now as they used to?—A. I cannot see any difference. It was about the same ever since I have been fishing. They may be a little smaller, but we used to get small lobsters then. The first catch in the spring you will get lobsters larger than you will catch afterwards.

Q. When they are coming in?—A. At the first catch.

Q. Are they a larger run than those you get later in the season?—A. Yes, than later in the season.

Q. What were the regulations in force when you first began fishing, what was the law then?—A. We used to begin as early as we could fish and stop on 15th July.

Q. To what do you attribute the decrease in the size of the lobsters?—A. It is very little.

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Q. Well, even the little there is what has brought it about? The lobsters are undoubtedly smaller?—A. There is very little difference. You take out in the deep water, and the lobsters are just as large now as ever they were.

Q. That is speaking for this section of the coast?—A. Yes. But the lobsters handier the shore seem to be of a smaller size.

Q. What is the reason for having a different regulation as to the season in this district than in the other districts? What led to it?—A. I don't know. They used to set out their traps earlier in the spring and their gear was carried out by the ice.

Q. Does the ice remain later here than at either end of the Strait or the north side of Prince Edward Island?—A. I suppose it was an idea of the people that it would be better to have a change.

Q. How many lobsters do you reckon it takes to fill a pound can?—A. On an average do you mean? It would take about eight lobsters.

Q. Now, it is estimated from actual measurement and count that it takes nine 7-inch lobsters to fill a pound can?—A. Of course we don't count our lobsters, they are all weighed.

Q. What is your idea about the practice of taking undersized lobsters; do you think it is destructive to the fishery to take lobsters that have not reached the age at which they reproduce themselves?—A. Well, I don't know about that part of it.

Q. What is the smallest female lobster you have ever seen with berries attached?—A. About 8 inches down to 7.

Q. Do you think you see many 7-inch lobsters with berries?—A. It is the same as with people, there are some pretty small and some pretty large. The lobsters are about the same.

Q. Could you give me an idea of the general run of the egg-bearing lobsters?—A. It would be from 8 up to 10 inches.

Q. It is pretty clear that the regulation as concerns the size limit is not observed at all by the fishermen or by the canner. What would you think of a regulation doing away entirely with the size limit but shortening the season so as to make up for that?—A. Well, my idea would not be that way. I think the season is short enough.

Q. Do you think you can go on much longer taking undersized lobsters and have the industry continue profitable; do you not think you are reaching the time now when you are catching smaller lobsters?—A. We have been getting them right along in another place; last year along the north shore they had big catches of lobsters. Some seasons are a failure. I do not think it is due to scarcity; I think it is like in the case of any other fish. Some years we get lots of fish, other years they will be in another place. Last year along the north shore they had big catches of lobsters; when they were a lot scarcer in other places they had big fishing. Take a little bit south of us now they are getting big catches and here we have not got any.

Q. Could you give me any idea how many pounds weight of green lobsters it takes to fill a case with you?—A. There is a difference. In the first of the spring you can do it under 200; about 190 or 195 pounds of green lobsters will fill a case. Now it will take about 235.

Q. And later in the season?—A. Later in the season 200 will fill a case. Later on in the season they get good again and will take from 195 to 200 pounds.

Q. Have the regulations for the protection of the lobster ever been observed in this district?—A. Well, I don't know whether they have been or not.

Q. Were they ever enforced at any time?—A. I don't know whether they were enforced. They have been stricter since I have been in the business. About the size of the lobsters we never make any difference. When they are very small I have told the fishermen it is no use to bring them in.

Q. Do you think the existing penalties are sufficiently heavy, if they were strictly enforced, to deter packers from violating the law? You do not know of anybody having been fined for breaking the law?—A. It would be just hard enough to keep on.

SESSIONAL PAPER No. 22a

Q. Do you think it would close the canneries up if you enforced the law?—A. I think it would.

Q. Has the number of canneries increased here within the last ten years?—A. There are a few more since within a few years and a greater quantity of traps.

Q. It has been suggested that the fishermen should be licensed, and that only those holding licenses should be allowed to fish lobsters, what do you think of that?—A. I don't know much about that.

Q. Do you think that the number of boats a cannery is allowed to fish should be limited or regulated? At present a canner may have as many boats as he can afford to put out do you think that should continue to be the regulation?—A. I don't know. I don't think they should run too many boats.

Q. Then you would limit the number of boats attached to a cannery?—A. Certainly.

Q. In your opinion is the practice of limiting licenses to certain individuals a good one?—A. I don't know about that. If everybody gets into the business nobody will do anything.

Q. Is there any reason why some people should be given a license and others refused?—A. It would not be any use to give everybody a license. There would be still more gear and more lobsters fished.

Q. Do you think that it is reasonable to limit the number of canneries and not limit the amount of gear they fish? Do you think that any man who asks for a license and says he is able to can should be given one?—A. I don't think it. Lots of people would ask for a license to can who did not understand the business and would not put up good fish.

Q. They would have to show that they were able to carry on the industry successfully?—A. The price of lobsters is a lot better than it used to be when they were only half put up and people did not understand packing.

Q. Do you buy lobsters by weight?—A. Yes, sir.

Q. What do you pay for them?—A. From \$55 to \$65 a ton.

Q. How many cases do you consider a ton of lobsters represents?—A. The run of the season it will average about 9 cases to a ton.

Q. It has been asked that fall fishing be allowed in some districts, would you approve of that?—A. I would not approve of it.

Q. In some districts a number of fishermen club together and are granted a license to can on the co-operative plan. Has any of that been done here?—A. It has been done this year down below.

Q. There is a co-operative association?—A. That is what has been understood.

Q. That is a new license has been issued to a company of fishermen; do you think that practice should be made general?—A. No, I do not think it should.

Q. Do you think the pack of lobsters should be subject to inspection as a general thing?—A. I should think it would be the right thing.

Q. Is there a bad product turned out in some canneries?—A. Yes, there is so.

Q. Would you grant a canning license to an alien?—A. It is according to how long he has been here. Everybody has got to live.

Q. There are a number of licenses issued to large firms composed of men not Canadian citizens?—A. I think the people in the place ought to have the right to can as well as the outsider coming in.

Q. Is it to your knowledge that the fishermen have ever complained of the price of lobsters as not satisfactory, as not being fair?—A. It is different with us. We have been buying from one boat but we don't buy many. We mostly pay by the month, our men are mostly all wages men.

Q. Are you aware of fishermen having lost their catch of lobsters by the canners refusing to accept them?—A. No.

Q. What would the fishermen do here with their lobsters if the canneries were

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closed?—A. They would have to stop I suppose, stay home and farm. I don't see anything else they could do.

Q. Is there any chance of exporting live lobsters to the market here?—A. Yes, a fellow at Shediac handles a few.

Q. Have you any idea which branch of the industry is the most profitable to the fishermen, selling lobsters to the canner or shipping them alive?—A. I think it would be selling them to the canner.

Q. You think the fishermen get more in that way?—A. That is for the whole season, because they would not be able to handle live lobsters.

Q. There are no facilities for handling them?—A. No.

Q. Have you any idea of the price paid for live lobsters?—A. No, I have not.

Q. Where the fishermen are paid by the hundred how does the price compare with that paid in years past?—A. Well, prices are good enough, they have been paid better I think.

Q. Is the price as good this year as it was last?—A. No. That is on account of the price of canned lobsters going up.

Q. Do you know anything about lobster hatcheries?—A. I do not. I have heard talk of them, they say they are a good thing.

Q. In this neighbourhood there is no hatchery nearer than Shemogue?—A. No, that is the nearest. They are counted a good thing.

Q. Would you recommend an increase in the number of hatcheries?—A. I think they are necessary.

Q. You think there are any facilities here for making pounds?—A. That is something I do not understand. There are nice bays here.

Q. A sheltered place would be needed with the tide rising and falling?—A. I think there are good places here with nice beaches.

Q. Do you think there are good places here inside the sand bars and harbours?—A. Yes.

Q. But lobsters have never been impounded here?—A. No.

Q. Is there any other matter connected with the industry that you would like to explain or say anything about?—A. No. All I would like to mention is that we ought to have a longer season.

Q. Do you not think a longer fishing season under present circumstances would mean a greater destruction of lobsters?—A. Perhaps it would not be a benefit in the long run.

Q. The object of the government in making regulations is to protect the fishery and continue it in a good condition?—A. If there is no longer season I don't think they could place it any better to answer the people than it is now.

Q. How about protecting the lobster, that is the main question?—A. I don't think they can fish them out. I think they are the same as any other fish. You cannot fish herring out.

Q. Herring are another matter. You seem to have fished mackerel out. In what depth of water do you begin fishing here?—A. About 4 fathoms which would be about 2 to 2½ miles off the shore.

Q. Then when you move in what depth of water do you have?—A. They have tried them in closer than that and there seems to be lobsters. I would say they would be in about 3 fathoms of water.

Q. Is that the shoalest water the fishermen fish in, do you think?—A. Yes, I don't know that there are many in water as shoal as that.

Q. Are you fishing the same style of trap as when you first began to fish?—A. No.

Q. What trap are you using in your district?—A. The three headed trap.

Q. That is what we call the parlour trap. Why was the change made?—A. They say it is better for the second day. Supposing you leave the traps for two days, like over Sunday, the lobsters will stay in them better than in the two headed traps.

Q. The lobsters do not go out of that trap, the object is to hold all they catch?—A. Yes.

SESSIONAL PAPER No. 22a

Q. Are the slats in the traps as far apart as they used to be?—A. There are some closer than they used to be. We don't have them as close as some people, I don't think it is any use.

Q. What distance is there between the slats of your trap?—A. One inch.

Q. And in some traps the slats are closer than that?—A. Some closer but we get just as many lobsters with an inch space as when the slats are closer. It is just a fashion they have of lathing them, of having them closer together.

Q. The idea is to keep all the lobsters that enter the trap and not let them out again?—A. I suppose so.

Q. That is hold the smaller lobsters?—A. I don't think they will hold them any better.

Q. Don't you think it would be more difficult for a lobster to get out where the space is only an inch than where it is an inch and a half?—A. It would have to be a pretty small lobster to get out through an inch.

Q. So you think that fishing in very shoal water should be permitted, for example, in a fathom or a fathom and a half?—A. I don't think so. You get small lobsters then.

Q. The shoaler the water the smaller the lobster?—A. Yes, sir.

Q. You think there are more berried lobsters in the shoal water?—A. I don't think there are.

Q. What do the lobsters come into the shoal water for, do you think?—A. I could not tell you.

Q. Do you think they come in to spawn; what brings the lobsters to shore?—A. I could not tell you, I do not think they come to breed. In deep water there is just as many berried lobsters as there is in shallow.

Q. Do you notice the berries on the female lobster getting ripe as the season advances?—A. Yes, they get larger.

Q. The eggs get larger and do you not notice as the season advances that they get riper?—A. Yes.

By Mr. Leblanc, M. P.:

Q. Where are you fishing?—A. At the bar, six miles below here.

Witness discharged.

JOHN MOONEY, fisherman, St. Thomas, called and sworn:—

By the Commissioner:

Q. What is your age?—A. 24.

Q. How long have you been engaged in lobster fishing?—A. About 16 years off and on.

Q. Have you always fished in the same neighbourhood here?—A. Yes, sir.

Q. For whom are you fishing now?—A. W. S. Loggie.

Q. Are you fishing by the month or by weight?—A. By the month.

Q. How long have you been fishing by the month?—A. Since I first began to fish.

Q. The canner supplies all the gear, boats and traps?—A. Yes.

Q. Are you boarded by him or do you board yourself?—A. He boards me.

Q. How are the monthly wages now as compared with what they were when you first began to fish?—A. They are a little lower this year than they were last. Last year was about an average with what it was when I first began to fish.

Q. What does the wage amount to?—A. It runs from \$25 to \$28 and \$30.

Q. Did you get the same wage 17 years ago when you first began to fish?—A. About the same.

Q. What number of traps do you fish?—A. 250.

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Q. Have you always fished that quantity?—A. No, sir, I have fished 200.

Q. Then you have increased the number of traps?—A. Yes, sir.

Q. Are there more fishermen fishing lobsters in your neighbourhood than when you first began to fish?—A. Yes.

Q. Do you think the canners have increased the number of their fishermen?—A. Yes.

Q. Does that mean that it takes more fishermen and a larger number of traps to keep up the supply?—A. They are using bigger gear to get more lobsters.

Q. What is the run of lobsters to-day as compared with the run when you began fishing?—A. They are nearly the same.

Q. Are the lobsters any smaller?—A. Inshore they are smaller but outside in deep water they are about the same average.

Q. When do you begin fishing?—A. We set our lines on the 25th May.

Q. Do you always begin at the opening of the season?—A. We have got to put our traps out and that takes us a week, sometimes longer.

Q. Do you always find lobsters there when you put out your traps?—A. Yes.

Q. In what depth of water do you put them out?—A. Some years I fish in four fathoms of water, other years I fish in nine.

Q. How far off shore would that be?—A. That will be 7 or 8 miles off.

Q. You come in contact with boats from the other shore at that depth? What is the deepest water outside?—A. Ten fathoms is the deepest water across from here to Cape Egmont.

Q. Then as the season advances what do you do, how long do you fish in that deep water?—A. The whole season.

Q. You do not move in then?—A. No, sir.

Q. Is not the practice then to move in?—A. There is no room inside, there are too many others. Somebody has got to fish outside, they cannot all fish in shoal water.

Q. Is it more profitable to fish inside than outside?—A. I think inshore you get more fish.

Q. Is there any difference in the average size of the lobsters caught inshore as compared with those caught off shore?—A. Yes, they are a good deal smaller in size.

Q. In how shoal water do some of the fishermen fish?—A. Two fathoms.

Q. Not less than that?—A. No, I don't think it, about two and a half to three fathoms. As they go out it gets deeper.

Q. Do you think, taking the whole season through, the average lobsters caught in shoal water are smaller than those caught in deep water?—A. Yes.

Q. Do you fish up to the close of the season always?—A. Yes, sir.

Q. How do you find the run of lobsters outside?—A. They are getting better all the time unless the last ten days of our fishing.

Q. Do the lobsters come from the east or from the west?—A. Well, some years we find them come from the northward, some years more from the southward. These late years they have been coming more from the southward. They say it is on account of the hatchery down at Shemogue.

Q. What is your experience with regard to berried lobsters, do you find them in the spring when you first put out your traps?—A. Yes, sir.

Q. Do you find them any more numerous as the season advances?—A. No, there are more in the spring. They shed their spawn, some time during June, I think, and now we are commencing to catch them again.

Q. Can you tell when they have shed their spawn?—A. Yes.

Q. You find the empty eggs on them?—A. Yes, there is slime on the tail. We often find them with a few eggs on the tail.

Q. Showing they have dropped their eggs?—A. Yes.

Q. What time do you think they do spawn?—A. I think they spawn in June as near as I can tell.

SESSIONAL PAPER No. 22a

Q. Has there been any increase in the number of licensed canneries in your time?
—A. I think there is about the same number.

Q. Are you aware of any number of fishermen having united together and obtained a license to can?—A. Yes, sir, one company did that this spring.

Q. Are you in favour of fishermen being allowed to club together and can on their own account?—A. Yes, sir.

Q. Do you think that everybody applying for a license should be allowed to can?—A. I think so, that is everybody that is capable.

Q. Would it not be necessary for the applicant for a license to offer some proof that he was able to carry on the industry properly?—A. Yes, sir.

Q. It would not be proper for everybody, regardless of qualification, to can and put up all sorts of goods?—A. No, sir.

Q. What requirements do you think should be insisted upon; should the man be able to show that he could pack a certain number of cases, say not less than 100?—A. I would not say the number of cases. A man that is able to put up lobsters and has had experience in fishing, a man brought up in the business all his lifetime, I think it is right he should get a license as well as another, but not every bushman to go and start a factory who knew nothing about it.

Q. Supposing we were to license the boats and allow only those fishermen to fish who registered and took out a license at a nominal fee, how do you think it would work?—A. It might work all right.

Q. Do you think that the number of boats a cannery is allowed to fish should be limited?—A. I think so.

Q. It seems of no use to limit the number of licenses when you do not limit the number of traps?—A. No, sir.

Q. What is your opinion about that?—A. My opinion would be no new licenses. Where fishermen cannot get a license to can, their boats should be licensed.

Q. Do you fish the same style of trap as when you began?—A. No, sir.

Q. You are using the parlour trap?—A. Yes, sir.

Q. What is the distance between the slats?—A. An inch.

Q. Why was the space between the slats made narrower, was it with the idea of holding everything that goes into the trap?—A. I don't know. I think so.

Q. What has been your practice with regard to female lobsters?—A. To throw them in the water.

Q. You do not rub the eggs off?—A. No, that would be of no benefit to me.

Q. But they would take them at the cannery?—A. They would take them there but they don't allow them ashore.

Q. Is it to your knowledge that the canners have refused to accept berried lobsters?—A. Yes, sir.

Q. How long has that been the case?—A. Ever since I have been fishing.

Q. Do they make any scruple about packing undersized lobsters?—A. I never heard them say.

Q. Then they take everything you bring?—A. Yes.

Q. Has the law ever been enforced here?—A. For small lobsters? I think it has been some 15 years ago.

Q. But gradually the enforcement has become lax?—A. Yes.

Q. What is the size limit?—A. 8 inches.

Q. What percentage of the lobsters under 8 inches do you take to the factory?—A. Not very much. They are very small and do not weigh much, we chuck them back.

Q. How small do you take them?—A. Not much under 7 inches, very few.

Q. What is the average size of the lobsters you do catch?—A. They will run from 7 to 10 inches.

Q. When do you see the most berried lobsters?—A. In the spring.

Q. And about what size are they?—A. Outside in deep water we get mostly big ones, 10 and 12 inches.

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Q. With berries attached?—A. With berries attached.

Q. What is the smallest sized lobster you ever saw with berries attached?—A. One 5 inches long, this morning. I said: 'That is the smallest female lobster I ever saw with berries on.'

Q. The opinion of scientists is that there are very few under 8 inches that bear eggs?—A. I got a dozen 5-inch lobsters with berries on this week, and more. I threw about five hundred weight of berried lobsters over yesterday morning. To-day I did not catch as many. We are getting more berried lobsters now with new berries than we are lobsters without berries.

Q. All with new berries?—A. Yes, black. I have got a few since last week

Q. How does the price paid for lobsters to those who sell by weight, to-day, compare with what it used to be; do you not know what they are paying by weight to-day?—A. About \$55 a ton.

Q. How does that compare with the price paid 17 years ago?—A. They never used to buy them that way 17 years ago.

Q. They always fished by wages?—A. Yes, sir. Some by the hundred in this other district to the north.

Q. Have you ever known the canner to refuse to accept small lobsters?—A. If they were too small they would refuse them.

Q. Where do you think the canner would draw the line?—A. He would say it would only be losing time to pack these small lobsters, to pick the meat out of them.

Q. You say you think the spawning season is in June?—A. I think so.

Q. Do you think the lobsters go close in shore to spawn?—A. Well, I don't know how you can get them outside in ten fathoms of water and get them inshore all through the season.

Q. Do you not think that the lobsters outside, if not caught, come inshore to spawn?—A. They might, I cannot say.

Q. Is there any time when the lobster is not fit for food?—A. Yes, sir, when it is losing its shell, when it is too soft.

Q. When is that?—A. In July.

Q. Do you get many lobsters now that are losing their shells?—A. Yes, quite a few.

Q. What proportion would you say?—A. They have all got new shells now and are hardening up.

Q. It is easy to tell those lobsters?—A. If they are too soft sometimes, just like mush, we have to throw them back into the water again.

Q. If the age and size limit were strictly enforced would the cannery be able to continue?—A. No, sir.

Q. Is the practice of stripping the eggs off, or knocking them off by striking the lobster on the water, followed here at all?—A. Not to my knowledge.

Q. Do you think the fishermen are learning the necessity of protecting the berried lobsters, that it is in their own interest to do so?—A. Yes.

Q. If the cannery refuse to accept small lobsters would the fishermen throw them into the water and not bring them ashore?—A. I think so.

Q. The men that are fishing by the month are not interested in forcing small lobsters on the canner, if the canner would not receive them the fishermen would not bring them?—A. It would make no difference to them they would throw them back.

Q. Do you know if any fishermen here avoid engaging themselves to a canner who is known to be strict in the observance of the law, or are all the cannery alike?—A. They are all alike, I guess.

Q. Do you think it would be possible for the government to buy the berried lobsters from the fishermen and to hold them in pounds?—A. I think so.

Q. Would it be an advantage to have a hatchery here?—A. I think so because we get a good deal more lobsters with berries on than we do without berries. I threw from four hundred to five hundred weight with berries overboard.

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Q. When did you notice they were beginning to come?—A. Since the last week with the new berries. Of course I have not fished all this summer but only a part.

Q. Will you find them with berries on up to the 10th August?—A. I think so.

Q. If the canneries were closed here is there any chance to carry on the live lobster industry?—A. I think so. The fishermen would get gear out and sell them themselves.

Q. You would need fast trains, refrigerator cars and several other things?—A. I am afraid the market is too far away.

Q. If the facilities existed for the shipment of live lobsters which would you say would be the most profitable here, selling the live lobsters to the canner or shipping them to the market?—A. I could not say, I have had no experience.

Q. Do you think an increase in the number of canneries would result in an increased catch of small lobsters?—A. It might.

Q. Some people have proposed, as the best way of remedying the present condition of things, to shut down for a few years and allow the lobsters to recuperate, what would you think of that?—A. I would not care about it.

Q. It would throw a great many people out of employment you think?—A. Yes, sir.

Q. Would they not be able to find some other means of employment?—A. They would have to leave the country.

Q. What do you do when you knock off lobster fishing?—A. I am the pilot here.

Q. Are you aware of any combination on the part of packers to keep down the price, do you think the packers combine at all to keep down the wages paid to the fishermen?—A. I am not aware of it.

Q. You have no complaint to make on that score?—A. No, sir.

Q. Do you think the fishermen would make more money if allowed to can on their own account?—A. Some would, I suppose, and some would not.

Q. Would you favour any change in the size limit?—A. I don't think it.

Q. What would you think of a regulation doing away with the size limit and shortening the season?—A. I don't know what to say about that.

Q. The theory is that by taking some days off the end of the season we would save a great many berried and small lobsters, that the bulk of the lobsters that come late in the season are breeding lobsters, that by allowing you to take any size but shortening the season we would gain more than we would lose. What do you think of that?—A. I cannot say.

Q. To what cause do you attribute the decrease in the size of the lobsters?—A. They did not give them time to live.

Q. That is they have caught too many young lobsters?—A. Yes, sir.

Q. Do you think the lobsters really run, and always did run, smaller in some districts than in others, or were they originally, before they were fished out, pretty much the same size everywhere?—A. I think they are pretty much of the same size here.

Q. Do you think it would take more lobsters to fill a pound can in the fall than in the spring?—A. No, sir, about the same.

Q. When do you make your best fishing here?—A. Well, inshore here about the 15th July, coming on the 20th July, we get the best fishing.

Q. And where you are offshore?—A. The last of July to the 10th of August we get a big fishing.

Q. Is there any fishing or packing done here after the close of the season?—A. No, sir.

Q. There is no illegal fishing in that respect?—A. No, sir.

Q. Are hoop nets, what they call 'curlies,' fished here?—A. No, sir.

Q. Fishing in very shoal water, sometimes less than a fathom, that is not done here?—A. That is not done here.

Q. What is your idea of allowing fishing in the bays and harbours; do you think

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the fishermen should be allowed to fish in the lagoons and in the harbours?—A. Yes, let them fish wherever they can get lobsters.

Q. You know the Magdalen Islands and the lagoons there?—A. Yes.

Q. Undoubtedly the lobsters enter those lagoons to spawn and the lagoons therefore are protected?—A. Of course the general rule is that you never see small lobsters with berries. The lobsters are small inshore but all of them cannot come in to spawn.

Q. Do you not think that fishing in very shoal water, in sheltered places of that kind, where the water is warm, you catch an unfair proportion of small lobsters, more so than you do outside?—A. Oh, yes, a good deal smaller.

Q. Do you not think it is the duty of the department to protect the small lobsters; if you do not do so how are you going to have big lobsters?—A. That is so.

Witness discharged.

JOHN BAPTISTE MAILLET, Fisherman, St. Thomas, called and sworn:—

By the Commissioner:

Q. What is your age?—A. 41.

Q. How long have you been fishing?—A. 18 years fishing and soldering.

Q. What are you fishing to-day?—A. I run a cannery and fish a boat.

Q. Whose cannery?—A. My own with my brother. It goes in my name.

Q. How many boats do you fish?—A. We own three boats and we buy the fish from two other boats.

Q. The three boats of your own are fished by wages men, are they?—A. We hire the men.

Q. And the other two boats sell you their lobsters?—A. Yes, sir, by the 100 pounds.

Q. What is the price per 100 pounds?—A. There is no real price exacted. There is \$58 a ton promised.

Q. If the market rises, the fishermen are paid a little more, if it goes down they get less?—A. Not any less.

Q. In what depth of water do you fish?—A. We fish in different depths. We have a line off shore, that is we fish in about 2 to 2½ fathoms. We have some outside that one, half is line in four fathoms and half in two and a half fathoms.

Q. You fish inside and outside the bank?—A. We follow the bank.

Q. What time do you begin to fish?—A. In the spring we begin, the last of May.

Q. And you are fishing still?—A. Yes.

Q. What is your experience with regard to fishing, in deep water will you get a larger run of lobsters than in shoal water?—A. Sometimes, it depends on the run.

Q. Would you say on the average you get better lobsters in deep water than in shoal?—A. This last year we did not fish outside. We fished in shoal water.

Q. What is the average size of the lobsters taken by you?—A. The average size is about 8 inches and I would tell you there is quite a lot of 7.

Q. And some a little under?—A. Yes, a little under.

Q. It has always been a practice here, has it not, to take pretty much all you catch unless the lobsters are very small?—A. Yes, certainly, but we have a certain measurement; a lobster that is under 66 inches we don't take it.

Q. And what do you do about the berried lobsters?—A. We throw them in the water.

Q. Have you always done that?—A. Sometimes at first I did slash them. Of late years I don't do it.

Q. You put the berried lobsters back in the water?—A. Since this law has been in force.

Q. Do you think the fishermen generally are observing the berried lobster regulation better than they used to?—A. Yes, I think so on our shore.

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Q. You have heard the fishermen say that?—A. Yes, I heard the fishermen say that they watch one another to see that they don't take berried lobsters.

Q. What is the best time of your fishing?—A. The best time for fishing is all the month of July.

Q. Do you see more lobsters with eggs at one time than you do another?—A. Yes, in the spring of the year there is more berried lobsters.

Q. What time do you think they spawn here?—A. They spawn in June. It appears about the end of June we don't see much, sometimes a few. In the fall of the year I used to see more when the lobsters shed their shell. We did not use to see them inshore.

Q. Do you get more lobsters with berries inshore than you do in deep water?—A. No, sir, I think there is more outside.

Q. Out of every 100 lobsters how many do you think bear berries?—A. In the spring about one-third; sometimes, not always. It is not always the same, they seem to come in schools or runs.

Q. How many lobsters does it take in your cannery to fill a pound can?—A. It is a thing I never counted.

Q. Do you know how many lobsters go to the ton or the hundred pounds?—A. It depends upon the run. Sometimes it will go 100 lobsters to 200 pounds. Other times it will go more. It will take two or three to the pound some runs in the summer.

Q. How many lobsters of your run will it take to fill a pound can?—A. I think it will come to just about four to five to the pound can.

Q. How many cases do you pack from a ton of lobsters?—A. I averaged this summer about 230 pounds of lobsters to the case of 48 pounds. Some years ago less and some years more, it varies.

Q. In your experience has there been much change during the last ten years in the size of the lobster?—A. I think there has not been much change.

Q. How has it been, taking the last 20 years?—A. Well, I have been fishing for about 18 years and of course early in the spring the lobsters were always big because they came from the northward. Now we get the lobsters from the south. I remember when we began to fish we never waited for the south run of lobsters, we always waited for the north. Since then a hatchery has been established at Shemogue and we are beginning to see a small run of lobsters coming from the south. Now we get the most of our lobsters on that run and not from the north.

Q. Do you fish the same kind of trap as when you first began?—A. No, we used to fish a trap with two ends. Now we fish a trap with only one. Of course there are two rooms in the trap, before there was only one.

Q. Those are what we call parlour traps?—A. Yes, sir.

Q. Do you think they get more lobsters?—A. They do. Like on Monday they have two days to fish and the present traps will hold the fish better than the others. On a middling run of fish the other trap was just as good perhaps, but if we have a heavier run of fish the present trap will hold better. I have counted as much as 33 in a trap. I never saw that with the other trap.

Q. Are there many fishermen here that own their boats and gear?—A. There are about six I know on this shore.

Q. Most of the fishermen are paid monthly wages and fish with factory gear?—A. Yes. Of course the men that have the license, you don't mean those?

Q. Are there many fishermen fishing their own gear who sell their lobsters where they please?—A. Well, there are about six boats on this shore, on the south side.

Q. But most of the fishermen are fishing by the month and with the gear belonging to the factory?—A. Certainly.

Q. How many boats would you allow a factory per hundred cases?—A. We used to count about 50 cases to a boat.

Q. If you pack 300 cases you would be allowed to fish six boats?—A. Yes.

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Q. Do you think there is any use in limiting the number of traps to a boat?—

A. I think the number ought to be limited because we have trouble otherwise. Some fellows put a pile of gear out.

Q. Would you fix the number at 250 to a boat?—A. That would be right. We fish about 300 to a boat. Four hundred can be fished but it is only a bother; they cannot do it properly.

Q. What is your opinion in regard to the matter of canning licenses, do you think we ought to issue a license to can to every man that applies for it, or limit the number?—A. It is hard to do that. If we look at it in the right way it ought to be open to all hands, it is a free country. It ought to be arranged so that there would not be so much failure as in the olden times. I remember in the olden times there were a great many failures.

Q. That is the reason so many canneries are licensed to large firms, I suppose due to the failures?—A. Not on our shore. The company that bought this factory down here thought they could make a big pull and paid as much as it was worth. They thought when they saw all the licenses were stopped they would grab all the shore and let the poor man fish for nothing. That is my opinion.

Q. You think the law regarding the size limit is generally ignored, it is the practice to bring everything into the factory?—A. It is the practice to bring everything in all right. We always have a certain size. Anything that is no good we don't bring ashore. Sometimes I threw out of the trap as much as four, five or six this year. That is down on the bar, that is where the small lobsters keep.

Q. And some places you get more small lobsters than in others?—A. Certainly.

Q. Do you think you get more spawn lobsters in shoal water than you do in deep water?—A. No, sir, you get more in deep water than in shoal.

Q. Do you think there is any time when the lobster is not fit for food?—A. There is a time when there are some, just a wee few. We don't bring them ashore, we throw them out.

Q. That is when you find soft shelled lobsters?—A. It is forbidden by the officer to take them and forbidden by the boss of every factory. I am boss of our factory and I don't stand them at all.

Q. The last witness has stated that he has seen female lobsters only 5 inches in size with eggs on them?—A. It is a thing that is hard to tell, but I have seen some very small lobsters with eggs on them. Of course I never measured them.

Q. Were they less than 8 inches in size?—A. Quite a lot less, under 7 inches I think. But most of the spawn lobsters are bigger, about 8 to 10 inches in size.

Q. Are these spawn lobsters full of meat; are they generally good?—A. Yes, they are.

Q. A great many people say they are the best, they are fuller of meat?—A. They are, because they do not shed their shell until they have spawned.

Q. You know what the regulations are as to size limit, berried lobsters, and the length of the season, what change would you suggest; if you suggested anything, with a view to preserving the fishery?—A. The rule ought to be, if you do not want us to shut down, that the size limit should be no higher than 7 inches. Otherwise we cannot live.

Q. You think if the size limit were made higher than 7 inches you would have to shut down?—A. I know what I say, we would have to shut down.

Q. How would it work to do away altogether with the size limit and in return have a shorter season?—A. A shorter season would not do us here, because, you see, the run is not always on the same day; that is the trouble. Sometimes we have to apply for an extension. At times we would get it, but at other times we did not. When we see the run is later on we apply for an extension.

Q. You applied this year for an extension did you not?—A. Not this year. One year when an extension was granted it put us right up. Sometimes the best run is at the close of the season.

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Q. Would you be in favour of establishing a hatchery?—A. Yes, certainly, I think a hatchery should be established here because there are so many crabs that are enemies of the spawn. We got over 300 barrels of crabs in three boats. They eat the spawn and young fry; so do the perch and codfish.

Q. What did you do with all those crabs?—A. I put them on the land as manure.

Q. Do you think it would be possible to establish pounds where the spawn lobsters could hatch out?—A. I think it would be less expensive to take the eggs to a hatchery and it would be just as good.

Q. Are you aware that any fisherman in this neighbourhood has ever lost his catch of lobsters through the canner refusing to take them?—A. No.

Q. What would you think of the idea of closing down the canneries for some years?—A. That is no way to do. You might as well try and do away with the food a man has to eat. There is room to establish hatcheries to give all hands enough to eat. My idea is to keep on.

Q. Do you see much failure in the conditions during the last ten years or are things about the same?—A. I think they are better now than ten years ago, it may be owing to the price of the fish. I have been canning lobsters now for 15 years and the first year I fished I could only contract for—I think it was about \$5.50 a case. Now I can get double that, nearly treble.

Q. That was not exactly my idea. A great many people say the fishery is at a standstill. Is it not getting any worse the last few years? Do you think it is still going down during the last ten years or is it just about the same?—A. I think here it will be about the same because two years ago we had as big a run of fish as ever I saw myself. Last year we had not a big run, but a fair run; this year it is poor. I don't believe it is scarcity of the fish, but God's will.

Q. It is an off year for lobsters?—A. Yes, you see that with codfish and mackerel.

Q. When you began to fish first you used to have bad years?—A. The first year we began we fished 400 traps and we could only get 47 cases. That was the run. We could not have any extension that year, and we thought the run really was after the season closed.

Q. Is there any chance to ship live lobsters from here to the market?—A. No, unless we had some cold storage or vessels.

Q. There is no opportunity for doing that trade?—A. No, and it costs money to do it.

Q. Do you think the packers have combined at all to keep down the price, has there been any combination?—A. Only this year that the buyers combined. It is only my own opinion.

Q. This year the price was down everywhere and they say it is due to the bad market last year?—A. So they say. They must have something to say, but my opinion is they combined themselves. I might be wrong in that.

Q. To whom do you generally sell your lobsters?—A. To R. O'Leary, Richibucto. I began with Mr. O'Leary.

Q. What was your pack last year?—A. 244 cases.

Q. And the year before?—A. We only ran one boat, about 60 cases.

Q. And since you have started in this year?—A. We have 120 cases packed so far.

Q. Speaking about fishing in the fall, how are the lobsters then?—A. It is a thing I don't know anything about.

Q. Some people have told us it takes more lobsters to fill a can in the fall than in the spring?—A. Early in the spring it is just about the same as in the fall because the first lobsters you bring ashore are quite poor and not so good as just before they begin to shed their shell when they are at their best.

Q. Then they begin to get poor and then reach their best again?—A. And just at the fall they are the same as early in the spring.

Q. Have you any idea about fishing in very shoal water, what would you put the limit at of the depth of water to be fished in?—A. I would not put any limit because

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we used to fish on a bank in about two fathoms of water away out. You will find these about three miles from the shore. We used to fish there and you will get most of the small lobsters there.

Q. Supposing you were to fish late in the season in one fathom of water?—A. You can get big lobsters in one fathom of water if it is mud bottom. After the lobster has shed his shell he goes to the mud bottom where there is seaweed and that is a place where you will get the big lobsters. That is sometimes in some places.

Q. One year with another what is the best time to fish?—A. The best time of fishing is in July.

Q. Have you any recommendation to make?—A. If the season could be lengthened for ten or fifteen days, five days in May and ten days in August, it would be better for the fishermen.

Witness discharged.

PETER LEBLANC, manager, called and sworn:—

By the Commissioner:

Q. Are you packing on your own account?—A. I am manager for Mr. Belideau.

Q. How many canneries do you manage?—A. One.

Q. How many canneries does that gentleman control?—A. Two, one situated at Cocagne Bar and other at Casey Cape.

Q. What is the capacity of those two canneries?—A. Four boats to each cannery.

Q. Are the men hired by the month?—A. Yes, by the month.

Q. The factory own the boats and gear?—A. Yes.

Q. And the men are paid monthly wages?—A. Yes.

Q. You do not buy the lobsters?—A. We did some years but not now.

Q. Are there many other canneries in your neighbourhood?—A. Yes, there are a number.

Q. What is your average pack?—A. Some years we have packed fifty cases per boat and we have packed as high as seventy-five cases per boat. Some years we have only packed thirty-eight, that was a few years ago.

Q. Can you tell us in what depth of water your boats fish?—A. I could not say exactly as I don't fish myself.

Q. Still the fishermen fish a good way out?—A. A good way out. We have some that fish inside and the others fish outside.

Q. Is it the practice to move the outside traps in as the season advances, or do those fishing outside stay there all the season?—A. They fish outside all the season. We did it for some years, but of late years we have not done it.

Q. Are there more traps in your neighbourhood than when you began?—A. Yes.

Q. How many years have you been in the business?—A. Eleven years. There are more traps now than there ever was.

Q. What is your average number of traps?—A. They fish 250 traps per boat.

Q. Do you think that is a fair number of trap?—A. I think it is. As many as the fishermen can handle.

Q. Especially if the water is deep, it is harder work fishing in deep water?—A. It is.

Q. Have you always fished the same number of traps?—A. No, we have less traps some years. We used to have 250 traps to a boat inshore and 200 outside. This year our outside boats do not go as far as we have 250 to a boat all round.

Q. What is the nature of the lobsters you are getting now compared with those you used to get when you first began?—A. I don't think there is much difference. They may be a little smaller from the 15th June to the end of July. I think they are a little smaller. When we first begin they are of good size until the last of June.

SESSIONAL PAPER No. 22a

Q. From the last of June until the end of the season how are they?—A. From the last of June for a while, that is inshore, the shore lines, they are smaller—that is after the lobster changes his shell—for two or three weeks.

Q. And then how are they?—A. Then they grow bigger, but we get them bigger still——

Q. Towards the end of the season?—A. Towards the end of the season.

Q. Do you find them in better order and fuller of meat in one part of the season than another?—A. Yes, sir.

Q. What is the best time?—A. The best time is when we set from the 15th to the 20th June and then from about now until the end of August.

Q. Do you think, speaking generally, it is safe to say that the pack is kept up by taking a smaller run of lobsters now than was taken years ago?—A. I could not say about that.

Q. On the whole, do you not think that the run of lobsters is smaller now than when you began fishing?—A. It is hardly smaller.

Q. You think it is about the same, as far as your experience goes?—A. It is about the same as far as I can tell.

Q. Do you think the lobsters are as large as they ever were?—A. I think so. Outside to-day you get a good catch, as large lobsters as ever were caught.

Q. What is the practice with respect to berried lobsters in connection with your canneries?—A. The fishermen throw them back in the water.

Q. You do not accept them?—A. No.

Q. Is that the practice pretty generally with the fishermen?—A. I think it is in our district; I don't know of any shop that cans any.

Q. Do you think the fishermen are learning to understand that the berried lobster law is a good one?—A. Yes, sir, they are learning. Of course, they may bring in one or two that way, but you have only got to tell them to be very careful and the next morning you don't find any in their traps.

Q. So you think the law with regard to berried lobsters is pretty well observed in your neighbourhood?—A. Oh, yes.

Q. How is it in regard to the size limit?—A. I suppose there is some undersized.

Q. Would you venture to say what percentage?—A. It is pretty hard for me to say.

Q. Is there half of them undersized?—No, not half of them.

Q. Is there one-third?—A. No, I do not think there is more than one-quarter in the cases of the inshore lines. For the outside lines I don't think there are hardly any.

Q. Have you ever remarked the smallest sized lobsters you have ever seen carrying eggs?—A. I could not tell you because I am not a fisherman.

Q. Do you think there is any part of the season when the lobsters are not fit for food?—A. I don't think so.

Q. You think they are always fit for food?—A. I think so.

Q. Can you tell me how many lobsters it takes in your factory to fill a pound can?—A. I suppose it would take on an average of from 5 to 8.

Q. Will that average vary comparing one part of the season with another?—A. Yes, I think it would.

Q. You take less at the beginning of the season than you do at the end?—A. Yes.

Q. What would be the effect on you as a canner if you were strictly limited to 8-inch lobsters and nothing else?—A. We would simply close the doors.

Q. If you closed down what would the fishermen do?—A. I don't know what they would do for a living.

Q. Is there any market for live lobsters, any chance to export them?—A. There is the American market, but it is not known very much around here, although there are a few shipping live lobsters.

Q. Are they beginning to ship them?—A. Yes, but not in large quantities.

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Q. The facilities do not exist; you are too far from the Intercolonial?—A. We have not got the facilities here.

Q. If the facilities for the live lobster trade existed, would the fishermen do better exporting these lobsters than selling them to the canner?—A. They would this year when the price of canned lobsters was down. I think they would do better.

Q. Have you any idea of the price paid for live lobsters?—A. At Point du Chene the price paid, I think, is from \$100 to \$125 a ton. That is what I was told. I could not credit the fact.

Q. And the price paid per ton by the canner is how much?—A. This year it is about \$55.

Q. What do you think about licensing the fishermen; it has been proposed by some people that the boats should be licensed?—A. I don't see why they would be.

Q. Do you think that every canner should be allowed to fish as many boats as he pleases? What is the use of keeping down the number of licenses if you do not limit the number of traps?—A. That is right. I don't think so. I don't think a man should be allowed to run more than 8 boats anyway, and I don't think he should be allowed to put out more than 250 traps per boat.

Q. What is your idea of the present method of restricting the licenses and only giving them to those that have been fishing?—A. I think in our district it is a good idea because there are too many already.

Q. Then you would not favour issuing a license to can even to any man who could show that he was able to do so?—A. No.

Q. You would prefer restricting the number of licenses?—A. Yes, sir.

Q. What regulations were in force when you began to can?—A. We used to begin as early as possible in the spring and stop the 15th July.

Q. Was there any size limit then?—A. The same size limit.

Q. You do not remember the time when there were no regulations?—A. No.

Q. Do you think that the lobster has been overfished?—A. I don't think so, because I remember for a few years, that is in 1901 and 1902, we only caught about 38 cases per boat, and in 1903, with the same gear out and the same traps running, I think we caught 70 cases per boat.

Q. What was the reason for making a different season north and south of here?—A. The reason? Some springs here are very rough weather and people could not haul out their gear in time. Sometimes the lobsters do not take a new shell; that is, at the same date. Sometimes the lobsters would take a new shell and strike in heavy afterwards. After they have renewed their shell they feel hungry and go into the traps. For years it would happen as late as the 23rd and 25th July, and then when we would have to close on the 15th July we would be out of that run of lobsters altogether. We would have to shut down without getting that run, and that is the reason why the fishermen asked to have that changed.

Q. Would you favour reducing the size limit?—A. No, I would not.

Q. You prefer the 8-inch limit?—A. Yes.

Q. You say it is not enforced?—A. No, I know it ain't.

Q. What would you think of a regulation allowing you to catch any size lobster but protecting the berried lobsters and shortening the season?—A. I don't think it would be advisable. I don't think the season should be shortened, I think it is short enough now.

Q. Do you know if the cannery have been compelled to accept undersized or berried lobsters for fear of losing their fishermen?—A. I don't know anything about that.

Q. Do you think that registering the fishermen and getting them to take out a license would cause them to observe the law better?—A. No, I don't think so, because they will just do what the manager tells them.

Q. Do you think if the fishery has to be regulated it is best done through the cannery and not through the fishermen?—A. I think so.

SESSIONAL PAPER No. 22a

Q. Are the existing penalties sufficient to prevent packers from violating the law if they were enforced.

Q. What would you think of the proposition to close down all lobster fishing for a number of years?—A. I don't think it would do, there are a lot of men earning their living by it and it would throw them out of employment.

Q. Those engaged in the fishery are not regular fishermen?—A. They are small farmers. Those men have only a small piece of land and cannot live on it alone.

Q. Do many of them go in for cod and mackerel fishing?—A. Not many.

Q. Most of them confine themselves to lobster fishing?—A. Yes.

Q. The Lobster Commission of 1898 recommended that fishing should be stopped in certain sections of the coast alternately?—A. I do not think that is good.

Q. Do you think it would be possible to fish a shorter season in the spring and then stop and begin in the fall?—A. We could not do that very well here under the existing circumstances. We could not get the men back considering there is lots of other work outside. We have got to keep it up while we are at it.

Q. Do you think there should be an inspection of the canned product at the factory?—A. The way it is we run under contract and we have a man who does that. He is around the factory two or three days a week and he inspects the fish as it goes into the can and after it is canned. Therefore, I have nothing to say about that.

Q. Who does that inspector represent?—A. He is representing the Robert Simpson Company of Halifax. They keep their own inspectors.

Q. Have you ever known him to find fault with the pack?—A. Yes, in some cases they do.

Q. What would happen to that man whose pack was criticised, would he have any difficulty in selling his lobsters?—A. Yes, the lobsters have got to be 'O.K.' or not at all.

Q. Where do you sell your lobsters?—A. We send them to Halifax under this man's inspection. They are inspected at the factory.

Q. Does he give you any certificate?—A. Yes, he gives us a certificate at the factory. He opens so many cans while they are coming in, and all that kind of thing, to ascertain whether they are number 1.

Q. What do you think about giving a license to people who are not Canadian subjects?—A. I don't think it would be fair.

Q. Of course there are some aliens among our largest packers and they were the first to begin packing?—A. Yes, I know.

Q. Do you know if the individual fisherman would make more money if allowed to can for himself?—A. I don't think so.

Q. Do you think every man is competent to can?—A. Well it is pretty hard proposition.

Q. Do you not think he would need some experience?—A. I think he would need some experience. A man who does not know anything about the business is apt to can bad goods.

Q. Do you think that where a number of enterprising young fishermen are willing to co-operate for the purpose of canning lobsters they should be given a license?—A. No, I don't think so.

Q. Do you know whether any fishermen have complained that the price paid for lobsters by the canners was not satisfactory?—A. They were not complaining before this year, but this year they are complaining.

Q. What is the cause of their complaint?—A. A drop in the price of lobsters. The wages are lower this year and if a man has been getting a certain price he does not want to come down you know.

Q. Is it the case that fishermen have lost their catch of lobsters by the canners refusing to accept them?—A. I know of no case.

Q. Is there any other matter connected with this inquiry that you would like to make a statement upon?—A. No, I have no other statement to make except that I

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would not like the season to be shortened whatever. If it could be lengthened it would be better.

Q. Better for the fishermen or for the lobsters?—A. Better for all hands, I think, I don't know about the lobsters.

Witness discharged.

The commission adjourned.

CAPE BALD, July 28, 1909

PACIFIC P. LEGER, canner, Cape Bald, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. I have been in the lobster business since the second year after they began to pack in this province.

Q. That is 37 years ago?—A. Thereabouts.

Q. What other canneries are licensed in this neighbourhood?—A. I am alone here. The nearest one is 300 or 400 yards. The others are strung along clean to Cape Tormentine and into Baie Verte. Farther on towards Shediac there are some.

Q. Is this the only cannery you are running?—A. This is the only one I am running.

Q. Have you always run this factory from the beginning?—A. I used to run down on the shore.

Q. How many boats do you employ?—A. The highest I have is nine.

Q. With two men in a boat?—A. Two men in a boat.

Q. What number of hands do you employ in the cannery, men and girls?—A. It is according to the strike of lobsters; some years quite a number, other years less. Up to now they have not come in any heavier and I have not had more than six girls and men. Last year I had more.

Q. What was your pack last year?—A. Last year I packed about 300 cases.

Q. What is the largest pack you ever made?—A. I have went up to 500.

Q. Are you fishing more gear now than when you commenced?—A. Just about the same.

Q. How many traps do you fish to a boat?—A. Some have got 300, others 325 and 350. With my boats I guess the highest is 300. Some are under that.

Q. Did you always from the beginning fish the same number?—A. The first years they were better. I have seen some years, since first beginning, that the lobsters were just as good as they were at first, when we packed about 500 cases. That is only about five years ago.

Q. You must have had a good run that season?—A. It was a good run.

Q. Do your men own the boats and gear or do you own them?—A. I only own one boat. The rest I pack at so much a case. Some of the boats I have, have no license.

Q. The boats are not licensed?—A. I have some boats that the men used to run factories but they did not pay and they came in with me. Of course they are holding their license this year just the same.

Q. They do not operate but can with you?—A. They can with me.

Q. How do you find the size of the lobsters now as compared with the size when you first commenced canning?—A. This year the size was a good deal better than last year, it is a good deal larger.

Q. But how does that size compare with the size when you first began operations?—A. There is a difference. When I commenced they were full-sized lobsters. I have weighed lobsters that weighed 16 pounds.

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Q. That was only now and again?—A. Of course they are getting scarcer, but 5 and 6 and 7 pound lobsters were common at the start.

Q. And how is it now?—A. Of course I have weighed some that weighed 7 pounds this year.

Q. That is a big lobster?—A. There were some small lobsters but they were a good deal larger than last year. The inside trawls here brought larger lobsters than the outside. Of course I figured out that the spring was cold and the lobsters came in-shore.

Q. To get in warm water?—A. To get in warm water. That is what I figured on.

Q. What is the average size of the lobsters you are canning now?—A. There was a fellow measured them here this spring. He came twice but did not give me a statement of the measurements so I could not tell you exactly.

Q. Tell me from your own idea?—A. I figured it that there are about three classes of lobsters from ten down to six inches.

Q. Of course the legal size limit is eight inches everywhere?—A. Yes, everywhere.

Q. Do you think you could continue canning if you were tied down to eight inches?—A. Of course I could can but I don't know how the fishermen could hold out.

Q. Do you feel yourself obliged to take whatever lobsters the fishermen bring you?—A. No, I do not feel that I am. Of course I know myself that the lobsters are taken down to about six inches. There may be a few smaller than that.

Q. What is the smallest lobster you can?—A. About six inches.

Q. How is the regulation observed here, do you take lobsters with berries?—A. Not with berries. I notified the fishermen not to bring any ashore after the hatchery was closed. They take them from the spring until they shell. After they shell there is no more spawn.

Q. And is the hatchery shut down then?—A. Yes, the spawning season is over. After the season is over, after they shell, the small lobsters don't come in. I don't know if the female shells or what they do, but they don't come in.

Q. But you find lobsters after this with the berries on?—A. A few.

Q. Not as many as in the spring?—A. No.

Q. Out of every 100 lobsters how many do you consider have berries?—A. Some days I would get a tub about that high, (illustrating by a gesture) a little more than half a barrel. With some outside boats it would amount to pretty nearly that full and from that down to 13, 14, 15 and 16 and so on. The most I get would be about half a barrel.

Q. Does the man from the hatchery come with a cart to collect the spawn?—A. No, with a gasoline launch every day and he takes the spawn to the hatchery.

Q. How are you paid for that?—A. I am paid \$6 for the season.

Q. For saving the eggs?—A. Yes.

Q. You scrape the eggs off and save them?—A. Yes.

Q. Is that the general arrangement to allow \$6 for it?—A. That is all I get. I don't know if they pay any more or pay less.

Q. It seems a small sum?—A. A small sum for the trouble. It takes quite a time. It has to be done carefully if you want to save them.

Q. When do you commence to get berry lobsters?—A. As soon as the fishermen commence to fish.

Q. And you begin to fish when?—A. The 25th May. The first fish I get here is about the 28th May. It takes a couple of days to set the traps and then about the 28th or 29th they begin to move off shore and I begin to pack.

Q. Do you find many berried lobsters at that time?—A. Just as many. They will hang on until they shell.

Q. How long has the hatchery been closed?—A. Only a fortnight. Whenever the lobster spawn gets that scarce it does not pay, they have to stop.

Q. What is the smallest lobster you ever saw bearing eggs?—A. You cannot get them any smaller with eggs than between 8 and 9 inches. Sometimes you will get one 7 inches but very seldom.

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Q. Yesterday a man told us he was sure he got lobsters 5 inches in size bearing eggs?—A. Any man with common sense would not say that because the lobsters have got to get their size.

Q. And the size is 8 inches?—A. Yes. You very seldom find them at 7 inches.

Q. What would you say is the average size of the berried lobsters?—A. From 7 and 8 up to 10 inches. Some you get are 11 and 12 inches.

Q. Then they are generally a good run of lobsters?—A. Yes, and every one of them is well filled.

Q. How many lobsters out of every 100 would you say bear eggs, taking the season generally?—A. On the average I don't suppose there would be more than 15 to 100.

Q. Do you think there would be that many?—A. I would not say just exactly because I never counted them.

Q. That is a little higher than most of the people tell us?—A. It might be less. I could not say. I would not want to be sure. If I had a gear of 300 traps and would have them on the outside on the Straits here I would catch more than those fishing inside.

Q. More berried lobsters?—A. Yes, more berried lobsters. They never spawn inside like outside with the bottom that is there.

Q. What sort of a bottom do they prefer to spawn on?—A. A rocky bottom.

Q. Will they not spawn on mud?—A. No, they prefer a clean rocky bottom where there is seaweed and kelp and they can hide their eggs.

Q. Is there any time in the season when you consider lobsters are not fit for food?—A. When they shell. That depends on the fishermen. Of course I do not like to have them but I sometimes do. I keep them back as much as I can, but the man that is fishing by the hundred weight wants all the weight there is. The men that are fishing like I have boats here, all fishing for themselves, it is different. They leave them in the traps until the shell is hard enough to bring them ashore.

Q. How long does it take them to harden up their shells?—A. Three or four days. Sometimes they fetch some that are just like a skin, they are not worth anything. The man that brings them ashore has no sense because they are worth nothing. When broken up in the cannery they all go away, it is all loss. You take and wash the claws and the tail and they all go away in the water, it is a waste.

Q. In what depth of water do they set their traps here?—A. In some places you would find 7 fathoms. Some of the ends of their trawls would be in 12 and 13 fathoms.

Q. Those are the outer trawls?—A. The outer trawls. Inside here it is an average of about 8 fathoms.

Q. How far off would be the outer trawl?—A. The first one in you could throw a stone to in shoal water, and from that to about half-way across the Straits. Some of the Island folks have crossed and some of the fellows here have crossed to the other side.

Q. I suppose the hatchery begins taking the spawn as soon as you commence to fish?—A. Yes.

Q. After they stop taking the spawn are the fishermen careful to put the berried lobster back into the water?—A. They have to. Sometimes we will find one in the lot but that cannot be helped. When the men are handling a big heavy run they cannot stop and watch every one. Sometimes there is one will come once in a while. I am very particular about that. Sometimes they will bring one in, they probably do, and I would not see it.

Q. You think the berried lobster regulation is pretty well observed?—A. As far as I can see into it is pretty well observed.

Q. If the 8-inch size limit were strictly enforced a great many people say they would have to shut down because they could not continue canning profitably?—A. The man that is fishing by the hundred weight I don't suppose he could continue to fish because they do not pay him enough by the hundred weight to live on.

Q. What do they pay by the hundred weight?—A. Some pay \$1.25, others pay \$2.50 and so on. The canners get them as cheap as they can.

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Q. How many lobsters will there be in a hundred weight?—A. Early in the spring it takes a little under two hundred weight for a box of 48 pounds. When they shell it takes just about 250 pounds.

Q. How many lobsters will that mean?—A. That information I could not give you.

Q. You don't know how many lobsters it takes here to fill a pound can?—A. I could not tell you because that is a thing I never tried.

Q. What is the arrangement made where they pack by the case ; do you charge them so much a case for packing their lobsters?—A. They pay me \$2 a case for packing the goods.

Q. Do you supply the cases and the tins?—A. They contract their goods wherever they sell and then their cases are furnished.

Q. The supplier furnishes the case?—A. Yes.

Q. Could you give me any idea of the proportion of lobsters below the 8-inch size that is taken?—A. No, I could not tell you that. As I said awhile ago, if the man that kept the measurements had left them with me I could have given you the information. However, you will get that later on.

Q. Are you in favour of the present system of licensing canneries?—A. Well, my opinion is this : The man that is fishing and getting his goods packed by a man that has got a license, I don't see that he needs one. I mean to say a man that is fishing and getting his goods packed and labelled the same as if he had a license. I don't see what need there is for it.

Q. Some people say that every man who applies for a license should get it, that one man has as much right to get a license as another?—A. Of course, all there is in it, I suppose, is the trouble of keeping account of his license because he has got to pay his \$2 just the same. All there is in it is just to draw the license, but that man has got to pay me \$2. I can't go to work and buy a license and ship his goods for nothing.

Q. The intention of the law at present is that if you do not pack in your own cannery you should not get a license?—A. That is right.

Q. But that is not the rule?—A. That is right.

Q. To what do you attribute the change in the condition of the lobster fishery from what it was when you began packing?—A. There is quite a difference.

Q. What is the cause of it?—A. Some claim that where the hatchery is they catch more lobsters than we do on this ground here.

Q. How far from the hatchery at Shemogue?—A. Five or six miles. I remember once when I used to run a factory down there the eggs were taken there and the people commenced to dispute and say that they had not fair play. The eggs were taken here and hatched there and they were catching more lobsters than we were. Whether that is the reason or not I don't know, but here we never had any strikes of lobsters like they had down there. Of course, I would not say that it was the lobsters that were hatched there that did it.

Q. You think if they take the eggs from here the young lobsters should be distributed here?—A. My idea was that if the young lobsters were placed right along the coast everybody would get a share and it would do good to everybody. This year the people complained that there was not fair play, so the hatchery man spread them out.

Q. That is not what I mean. Why is the fishing not as good as when you began to can first?—A. There is more gear now than at that time.

Q. Do you not think the lobsters have been fished out?—A. It must be that. There are a great deal more boats than when canning commenced, quite a few more.

Q. Do you think the number of boats fished by a cannery should be limited or should a canner be allowed to have as many boats as he pleased?—A. Too many boats to a factory are no good ; a certain amount of boats would be enough. Some factories have got 27 or 28 boats. When that number of boats comes in you want to

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have quite a crate to save all the lobsters. If you only have half that many boats you would handle the catch better.

Q. Do you think the cannery that can afford to run 27 boats is covering an unfair amount of ground outside?—A. Of course, the man that has got 27 boats has got to take more ground than the man that has only got seven or eight.

Q. Is that fair to the others?—A. I would not think it fair, but at the same time——

Q. It means that the man who has means enough to engage all these boats is monopolizing an unfair amount of fishing ground?—A. I think a man ought to have just so many boats.

Q. How many cases do you reckon on packing to a boat?—A. Some years I have packed here 101 cases to a boat. Last year I had boats here only packed—of course, they had small gear—14 cases to 36. Some 24—some 25, some 30, some 34. The highest I had last year was about 64 cases to a boat. I took down to as low as 14 cases. That was only about 125 traps, two men to a boat. They were just attending to that with their farming.

Q. Who are the men fishing lobsters, are they regular fishermen?—A. No, sir, they are all farmers.

Q. They do not fish cod or mackerel?—A. No. Of course, there are mackerel but they are so scarce they do not take any trouble to fish them.

Q. They do not fish cod?—A. No, sir.

Q. What do most of these men do when the lobster fishing is over?—A. Go to their farming, they don't make farming pay.

Q. Why?—A. Because the produce has to be hauled too far. You have got to haul 16 miles. Well, a load a day is pretty slow work.

Q. When the lobster canning first began do you think the lobsters all along the coast were about the same run and the same size?—A. They were pretty near, they were of good size.

Q. Were they all the same everywhere?—A. Yes, along this coast.

Q. What were the regulations in force when you began to pack, having reference to size limit, season and one thing and the other?—A. You commenced to fish in the spring and fished until the fall.

Q. There was no regulation then?—A. No regulation.

Q. What were the first regulations introduced?—A. We used to commence as soon as the ice was gone and then we would stop on the 15th July.

Q. And begin again in the fall?—A. No, sir, stop then, that was the regulation we had. Then the season was changed from the 20th May up to the 10th August.

Q. What do you think of the change in the law?—A. The change in the law is all right.

Q. Do you think fishing should be allowed inside three fathoms?—A. Here at three fathoms we would get right close to the shore. Some places it would not be that.

Q. Are 'curlies' fished here at all?—A. No, sir, not here.

Q. You are fishing the parlour trap now?—A. Yes.

Q. Why do they use the wheeler trap in preference to the other?—A. They say they are better. In the other trap the lobsters used to travel in and out. They would go in and eat all the bait and after that come out. But they crawl into the wheeler trap and cannot get out. Some get out when there is no bait; they are bound to get out.

Q. What distance apart are the slats?—A. Some of them are pretty close, about an inch apart I should say.

Q. In former times the slats were made farther apart?—A. Yes.

Q. For what reason do they make them narrower now, to hold the smaller lobsters?—A. Yes.

SESSIONAL PAPER No. 22a

Q. Has there been much change in the fishery in the last ten years?—A. In ten years there has not been much difference. Some summers it will be a little slacker and other summers a little better.

Q. There has been a failure compared with forty years ago, but during the last ten years there has not been much change?—A. Not much change.

Q. Do you think the lobsters are getting smaller all the time or has the decrease in size stopped?—A. I guess that has stopped. It is about the same all the way through.

Q. You are of opinion the hatchery here has done good work?—A. I should think so. Whatever spawn they have preserved and hatched they have done it all right. My opinion is this : If the fishermen had the value of the expense of the hatchery paid to them to leave the lobsters there or bring them ashore, be paid what they are worth and then return them to the water, that would be the best hatchery.

Q. You would rather see the berried lobsters put back in the water to hatch themselves?—A. To hatch themselves, I think that is the best way. I will tell you why. Sometimes the boats will be here at 7, 8, 9 o'clock until noon. The first lobsters that come in I have got to scrape the spawn off them. The fellow that comes to get the eggs arrives, and before he gets through with these factories and back to the hatchery it will be 3, 4, or 5 o'clock. Some of the spawn must be no good by that time. You take the green spawn, and it will hang on longer. The eggs almost ready to spawn, just as soon as you put them in the water, you can see it yourself, they will spawn right off. But if the water is not circulating in the dish they will die. The green eggs can stand it until they get to the hatchery. Of course if there was a hatchery here and a hatchery there it would be better. But of course that you could not do.

Q. What would you think of placing the berried lobsters in pounds and letting them hatch out?—A. That would be all right with this breakwater here.

Q. You think that could be done here?—A. Yes, inside the breakwater.

Q. Are there any harbours in this neighbourhood that would be suitable?—A. The harbour at Shemogue is the nearest we have. Right straight off here, close to the rocks, we have 9 or 10 feet of water. That is the deepest water we have here.

Q. You could not make a pound unless the place was well sheltered?—A. There are no other places where it could be done.

Q. What do you think of saving the seed lobsters by means of pounds where they can be established?—A. That would be all right. I am against this hatchery because any common man that has got any sense knows himself by the distance they have to take the spawn, all the eggs cannot remain good. But if you take the lobsters from the outside to the shore and then put them in the water and let them spawn themselves every one of the eggs is sure to be good.

Q. Would you bring the berried lobsters in shore and then release them close to the shore?—A. Put them in here in the deep water and let them go wherever they liked afterwards. There is plenty of water for them to crawl out.

Q. You would catch a great many of them over again would you not?—A. You would not catch them inside. If you took them 7 or 8 miles away it will not be a long while before they will get back again as there is a lot of feed here and a lot of rocks they could get under.

Q. If that were done would you not let anybody fish traps among them?—A. No.

Q. You do not think a strict enforcement of the 8-inch size limit would close you down?—A. I don't think it would close me down. I could handle my factory with less help but it would make a great difference to the fishermen all right.

Q. What would happen supposing all the canneries were to close down?—A. The way that people are fixed now the government would have to build another house in Dorchester to put them in. Because you see the people do not get the worth of their goods. They only got it last year and now they do not get it. It makes a difference where the buyer is. He wants to get a profit from the goods he sells out of his store

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and he wants to get a profit out of the goods he buys from the poor people, so the poor people cannot make enough to clear themselves. He always holds them and every year they have got to go to him because they do not get enough lobsters to pay.

Q. Some people have the idea that if the fishery were to close down for three or four years the lobsters would increase again and operations could begin afresh?—A. If they were to close down and the people could stand it, it would be all right. But how many could stand it?

Q. Is there any chance here of shipping live lobsters to the market?—A. They are doing that now. This year there was a man here from Shediac who is shipping live lobsters to the States.

Q. What does he pay for them?—A. \$127 a ton.

Q. What sized lobsters does he take?—A. He won't take them under 10 inches.

Q. Were there many people selling lobsters to him?—A. Quiet a few. He has got quite a few this year.

Q. What would you think of the idea of asking the fishermen to take out a license? The idea is that if a fisherman were licensed he would be more careful to observe the law?—A. Certainly they would have to if they had to take out a license.

Q. Were the regulations as to the preservation of lobsters ever observed here that you remember?—A. They were.

Q. Were they ever enforced?—A. I don't know if they were enforced, but they were talked about. When the laws were first made you could not bring in any under 9 inches. But the fishermen could not stand that, so they bring them according as they get them.

Q. Now it is asked that the size limit be reduced to 7 inches, and it is said with that reduction they would be more careful to observe the law. Do you think there are canneries enough?—A. I think for the lobsters there are.

Q. When is the best time of the fishing with you?—A. The best time is now when they strike in. They are not the best in weight, but the best in quantity.

Q. When is the best time for weight?—A. In the spring, until they commence to shell. All the lobsters have to fill up their shells, the best time for a number is now.

Q. What would you think of allowing fishing in the fall, in other words, to have two seasons?—A. Two seasons would be quite a bother for the fishermen to take up their traps and set them out again.

Q. What would you think of doing away with the size limit altogether, but protecting the berried lobsters and shortening the season?—A. The fishermen say the season is short enough now.

Q. What change would you suggest yourself?—A. Of course it does not depend so much upon me as on the fishermen.

Q. You know what the fishermen think and feel?—A. Some fishermen say if they were starting in about the 12th July, and from that running right out.

Q. And have no spring fishing?—A. And have no spring fishing. Then all the females would have a chance to spawn because you know when they shell there are no more of these berries, all the berries would be gone.

Q. Supposing you were given from the 15th July to the 15th September?—A. From the 15th July? I guess they would want all the rest because here in the fall there are lots of storms.

Q. When should they knock off?—A. They would have to knock off when they would be cold enough.

Q. You would say the end of September?—A. It would be a good deal better for the fishermen on this account because all the berries would be saved and that would be that much more difference. I think that law would be all right to save the lobster. If it continues as it is the fishermen will have to drop it.

Q. Are the fishermen going behind?—A. They are pretty nearly all going behind. For one that goes ahead there are five or ten going behind.

SESSIONAL PAPER No. 22a

You do not think every fisherman should be allowed to can on his own hook?—
A. He would have to pay the same money supposing he had a license. I am not against each one fisherman having a license because they have to pay all the same.

Q. If we did that we would have to have some guarantee that the man getting the license could pack properly, otherwise he might be putting up a bad product, and that would injure the market?—A. That would be the danger.

Q. And we would have to have a guarantee that every fisherman would pack a certain quantity.

Q. Are you aware that the fishermen complain that the price paid for lobsters is not enough?—A. Not enough this year. Last year the fishermen could live on it.

Q. What is the price?—A. The fishermen are getting \$4 less a case this year from the buyer.

Q. What is the reason for that?—A. That they can't afford to pay more, I suppose.

Q. What was the best price the fishermen got?—A. \$14 a case last year.

Q. Is there anything else you would like to tell me?—A. It depends on the fishermen. If they want to have a change in the law, it is on their own account. The change suggested would be better for the fishermen because the spawn would be saved; otherwise it would not. If there was an increase in the lobsters it would suit them. Now there is the hatchery at Shemogue. You will find there is a difference in the number of lobsters in that locality because they always strewed the spawn there with the exception of once when they spread it on this shore.

Q. Are they getting more lobsters there?—A. Yes, the man who went round measuring the lobsters said they were getting a smaller sized lobster.

Q. But a great many of them?—A. A great many of them. It shows the lobsters must be there.

Witness discharged.

Commission adjourned.

LEGER'S BROOK, July 28, 1909.

THEOPHILUS LEGER, manager, Leger's Brook, called and sworn :—

By the Commissioner :

Q. How long have you been engaged in the lobster packing?—A. Ten years.

Q. In charge of the cannery?—A. Yes.

Q. Have you ever fished yourself?—A. No, sir.

Q. Who is the proprietor of this factory?—A. O. M. Melancon, of Shediac.

Q. How many boats do you employ?—A. Eight.

Q. What number of traps do they fish on the average?—A. An average of 325 to the boat.

Q. Are the boats and gear the property of the canner or do they belong to the fishermen?—A. They belong to Mr. Melancon.

Q. Are your fishermen all engaged by the month?—A. By the hundred. The fishermen that run the boats they hire their hamper themselves.

Q. The man fishing by the boat is fishing by the hundred pounds?—A. The hundred pounds.

Q. What is the average price paid by the hundred pounds?—A. \$1.25 per hundred pounds.

Q. You furnish him all the material?—A. Yes.

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Q. How does that price compare with the price paid last year?—A. It was a little more last year.

Q. What have you been paying since you have been in the industry?—A. \$1.35 per hundred weight.

Q. Do you buy the lobsters by the hundred weight or by the ton?—A. The hundred weight.

Q. What was your pack in this factory last year?—A. Some 432 cases.

Q. Have you any idea what the pack was the year before?—A. I was not working here then, I started here this summer.

Q. What was the best pack they ever made here?—A. Last summer was the best summer for a long time.

Q. How have you found the lobsters that you have been packing, are they increasing or decreasing?—A. I think it is hard to tell, we don't find much difference.

Q. What is your opinion as to the fishery since you have been engaged in it, do you think the lobsters are as plentiful as they formerly were??—A. Not quite.

Q. Are they as large now as when you began?—A. About the same, I think.

Q. What is the average size of the lobsters you take here, how many will they run to the hundred weight?—A. I could not tell you exactly.

Q. How many lobsters do you count to fill a pound can?—A. Three or four, I think. The average would be about four.

Q. What has been the practice here with regard to spawn lobsters, do you take them at the factory?—A. Yes. During the time of the hatchery we have got to be careful.

Q. You give the eggs to the hatchery?—A. Yes.

Q. After the hatchery stops running what do you do?—A. We don't take them. We are careful to give the fishermen orders not to bring them.

Q. Do the fishermen put them back into the water?—A. They ought to, they don't bring them in here.

Q. Do the fishermen brush the eggs off?—A. Not here, I believe.

Q. What depth of water do your fishermen fish in?—A. Between 7 and 8 fathoms, sometimes they strike 11.

Q. How far off shore would that be?—A. Six or seven and sometimes eight miles.

Q. What was the smallest sized female lobster with eggs you ever saw?—A. Just about 7 inches, 7 or 8.

Q. What would be the average size of those with eggs?—A. Just about 8, the average.

Q. How long has the hatchery been running at Shemogue?—A. Six or seven years, I think.

Q. Have you noticed any improvement in the run of lobsters since it has been in operation?—A. We did for the first year, but now I do not know. We thought so because the lobsters are smaller.

Q. You are not sure?—A. No.

Q. Why do you have any doubt?—A. Perhaps the hatchery is not run right.

Q. They come here for the eggs?—A. Yes.

Q. Do they bring the young lobsters back here and plant them in the waters?—A. They take the eggs every day.

Q. Yes, but where do they put the young lobsters?—A. About a mile and a half to two miles.

Q. Do they plant them all along the shore?—A. Yes, all along the Strait.

Q. Do you think all the eggs you strip off and send to the hatchery live?—A. No, sir, they don't live because they are not handled quick enough. They ought to be taken up to the hatchery right away.

Q. As soon as you take them off?—A. Certainly.

Q. How long do you keep them sometimes?—A. The boats come here about this time and they go to the hatcheries about 4 or 5 o'clock, that is quite a long while.

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Q. Have you noticed, yourself, quite a loss in eggs?—A. I have seen some that are no good.

Q. I suppose the green eggs early in the season stand the longest?—A. Yes.

Q. How is it with the very ripe eggs?—A. They won't stand very long.

Q. Is there any other way of saving the eggs that you can think of besides taking them to the hatchery?—A. Yes, there may be.

Q. Supposing the fishermen brought all the berried lobsters in and they were planted along the shore to hatch their spawn?—A. That would be all right. Every factory should have a man or somebody.

Q. To be here and take those lobsters?—A. Pay the fishermen so much.

Q. And put them back in the water?—A. Right away.

Q. Supposing we bought the female lobsters and put them back in the water near the shore, would they go out and be caught again or would they stand on the shore?—A. They would stay, but not very long.

Q. Another proposition is to buy the lobsters and hold them in pounds. Are there any harbours here where pounds could be established?—A. The harbour where the hatchery is is a great harbour.

Q. You begin fishing here on the 25th May, do you not?—A. Yes, and fish until the 10th August.

Q. You are not allowed to fish any berried lobsters unless you sell the spawn to the hatchery, and the size limit is 8 inches is it not?—A. Yes, eight inches.

Q. Has the size limit ever been observed?—A. No.

Q. What would be the effect on the cannery if the law were enforced, and no lobsters under 8 inches were allowed to be taken, a great many canners say it would close their factories up?—A. I think it would, too. The enforcement of 8 inches would shut up many a cannery.

Q. Out of the lobsters you take what quantity would be below 8 inches?—A. Six and seven are quite a lot.

Q. Out of every 100 how many would you take below that size?—A. We will take one-third any way.

Q. Have many new canneries been established here for the last ten years?—A. No.

Q. Do you think that every man who applies for a license to can should be given one?—A. I think so. One man has as much right to live as another.

Q. We would be obliged to have some guarantee that such a man was in a position to put up the goods properly and to can a certain quantity?—A. Yes, I think that is all right.

Q. Would you allow a canner to fish as many boats as he pleased, or would you regulate the number?—A. Too many boats would not do.

Q. There would be no use in restricting the number of canneries, and yet allowing the existing canneries to fish as many boats as they pleased?—A. No.

Q. Is the number of traps fished now much greater than it used to be?—A. No, just about the same.

Q. Would you keep the size limit of eight inches or what would you do?—A. Eight inches will not be much I tell you.

Q. It has been proposed to do away with the size limit altogether, and in return for that have the season shorter?—A. I think the season is short enough now.

Q. Do you think the present season from the 25th May to the 10th August is the best?—A. I think so.

Q. Does not that cover the time when the lobsters spawn?—A. Yes.

Q. How would it do if the season were changed altogether, and you began on the 15th July and fished till the end of September?—A. It would not do. I do not think it would. The month of September is not fit to fish because of the rough weather.

Q. You do not believe in fall fishing then?—A. No, I think the season is all right as it is.

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Q. Do you think it takes more lobsters to fill a pound can in the fall than it does in the spring?—A. No, it does not.

Q. When is the best time of the fishing here, when do you get most of your lobsters?—A. Now, is the time.

Q. This is the best time?—A. From the 10th to 20th July.

Q. Have the lobsters all done spawning now?—A. The hatchery is stopped over a week ago.

Q. How are the lobsters that are coming in now, you still see some with eggs, do you not?—A. No, there is none; we don't bring them in. If the fishermen do bring them in they have to take the eggs off. Sometimes we get one by mistake. When a man is fishing 800 pounds with about 300 traps he might easily mix them.

Q. Do you think it would be any advantage to have the fishermen take out a license?—A. I have not thought of that.

Q. What would you think of closing down the canneries for three, or four, or five years in the hope of allowing the lobsters to return to their original condition?—A. I may just as well tell you I would be against that because there are lots of people dependent upon the lobster industry, and such a thing would result in hard times.

Q. Do you think the present hatchery is run as it should be?—A. No, sir.

Q. Is it run carelessly?—A. Yes, run carelessly.

Q. Do you think there ought to be an inspection of the pack of the cannery?—At present there is no inspection, and you put up your lobsters as you please?—A. Oh, yes.

Q. There is inspection by a gentleman from Halifax in the interest of the buyer, but none beyond that?—A. No.

Q. What would you think of inspection of the product of lobster canneries by the government?—A. That would be all right.

Q. Do you think the present fishery officers could carry on that inspection?—A. Some of them would be all right.

Q. How often do you see fishery officers here?—A. Quite often.

Q. They come here of course to stamp the cases?—A. To stamp the cases.

Q. Do they not come to see whether you are getting small lobsters?—A. Yes, they look into the cooler to see whether there are any female lobsters.

Q. Supposing the canning of lobsters were stopped here, is there any opportunity for the fishermen to send their lobsters to market alive?—A. No.

Q. Is the shipping of live lobsters done here?—A. A few by Mr. Paturel of Shediac.

Q. Where does he buy his lobsters?—A. Along the shore.

Q. Who sells the lobsters to him, the fishermen or the canner?—A. There are some fishermen that own their own gear that do so. Some of the factories sell him a large lot.

Q. Do you know what he pays for live lobsters?—A. Something like \$125 a ton.

Q. Do you think where a group of fishermen unite in order to carry on canning, any reasons exist why they should not be given a license?—A. Certainly not, if they want to live.

Q. Are you aware of any complaints made by fishermen as to the price they are getting now from the canners for the lobsters?—A. There are lots of complaints, they want more. Some won't fish for the price.

Q. Are you aware of any fishermen having lost their catch of lobsters, because the canners would not take them?—A. We can generally take all they bring.

Q. Do you think if the canneries were closed the fishermen could not find a market for their lobsters?—A. No.

Q. Have you any idea which branch of the lobster industry is the most profitable to the fisherman, the live lobster trade or the canning?—A. It is the canning.

Q. What is the size of the lobsters that are fished alive?—A. Ten inches.

Q. They will not take anything under that size?—A. No, sir.

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Q. Are the fishermen making as much money out of the lobsters as they used to?—A. Not quite.

Q. That is only this year?—A. Last year was pretty poor, too, although some factories did well.

Q. Are the traps you fish now the same as you used formerly?—A. No.

Q. Formerly the fishermen used to fish a trap with a hoop on each end?—A. There are three nets now.

Q. You call them wheeler traps?—A. Yes, the wheeler trap, that is the kind now.

Q. Are the slats put closer together than they used to be?—A. Not since I remember.

Q. What is the distance allowed between the slats?—A. Just about three-quarters of an inch.

Q. Would you change the regulations in any way?—A. The season is all right, I think, and as for the 8-inch lobsters we do not take much. There would not be many brought ashore that are eight inches. That is my idea, and I handle them every day.

Q. Do you think the lobsters are getting smaller all the time?—A. I suppose they are about the same.

Q. Do you think the size limit should be changed from eight inches?—A. I would make it seven inches.

Q. Do you think it is right to continue catching off all the smaller lobsters?—A. No, it is not right.

Q. Can we hope to continue the fishery if we persist in catching the small ones?—A. No.

Q. Most of the men fishing lobsters are not regular fishermen, are they, they do not fish cod or mackerel?—A. No, just——

Q. What do they do when the lobster fishing is over?—A. Farm a little and go to the woods.

Q. They do not fish for cod or haddock?—A. No, there is nothing at all until the herring in the spring.

Q. Where do you get your bait, do you obtain it all here?—A. Yes, we catch the herring by setting gill-nets.

Witness discharged.

ABEL BURKE, fisherman, Leger's Brook, called and sworn:—

By the Commissioner :

Q. You are not fishing this year?—A. No.

Q. For how long did you fish lobsters?—A. Fifteen years.

Q. Why did you give it up?—A. Because I thought the lobsters were slackening up.

Q. What other occupation have you taken to?—A. I am a butcher now.

Q. When you used to fish lobsters what did you do besides?—A. Farm a little in the spring, fish in the summer and in the fall go to the woods.

Q. Did you only fish lobsters?—A. I fished herring in the spring with my boat.

Q. On what part of the coast did you do your fishing?—A. Off this shore.

Q. Can you give me any idea of the total number of men that are engaged in the lobster fishing from this parish?—A. I should judge there are a couple of hundred men around this neighbourhood.

Q. Do most of them fish their own gear and boats?—A. There is about one-third fish their own gear.

Q. When you were fishing did you handle your own gear?—A. I handled my own gear for seven years unless I fished for others.

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Q. What number of traps did you usually fish from a boat?—A. The average run that I fished was 300 as a rule.

Q. How is it that you fish more traps here than in other places?—A. I used to fish less than others. Some years I used to run 335, 345 and 350 traps ; other years 275. The average I fished was 300 traps. . .

Q. Do you think a man can fish more than that number?—A. If he attends to it right that is as many as he can attend to. There are some able fishermen that can attend to 350, but as a rule 300 is enough for a boat if attended right.

Q. In what depth of water used you to fish?—A. I used, as a rule, to set a trawl inside. That would be in five fathoms of water. Some would have 10 and 11 fathoms. As a rule the average outside is about 9 fathoms.

Q. How far off shore would be the limit?—A. About $5\frac{1}{2}$ miles, between 5 and 6. It won't go half way across but there are a few do go.

Q. What is the bottom like?—A. When you get out here 2 miles off there is a little reef about a quarter of a mile wide. Then you strike a mud bottom, just mud, gravel and sand that is no good. About $3\frac{1}{2}$ miles farther off you strike a little reef which is good fishing ground. Then you strike a bar of sand a mile and a quarter wide. Then you strike another good fishing ground.

Q. The reefs are the best fishing ground?—A. Yes, because of the rocky bottom.

Q. Is that bottom covered with seaweed?—A. With kelp and mussels.

Q. Do you think the lobsters spawn among that kelp?—A. No, sir.

Q. Did you fish throughout the season always in the same depth of water or did you move in?—A. I always fished in the same depth of water.

Q. You had one end of your trawl in shoal water and the other end in deep water?—A. We don't set out that way here ; they do in Nova Scotia. What I meant was, sometimes you strike a deep hole where you set in, but as a rule 9 fathoms. Very few fishermen shift unless they strike a poor bottom, then they might change their trawl.

Q. Nobody fishes here in from one to two fathoms of water?—A. No, sir, four to five fathoms is the shoalest water we fish in.

Q. Would you find some lobsters inside of that?—A. We might find a few, but very few.

Q. Are 'curlies' or hoop nets fished here at all?—A. No, sir.

Q. When you knocked off fishing were the lobsters failing in your opinion?—A. Well, they were failing in this way : Every year this last four years they were decreasing.

Q. In quantity or in size?—A. In quantity and in size both.

Q. And previous to four years ago?—A. Well, I used to generally catch from 8 to 9 and 10 and 11 tons of good sized fish. Four years ago I used to catch a good quantity of small fish, that is when this hatchery at Shemogue first started. The hatchery was handled pretty good then.

Q. You think the hatchery is not as well handled now as when it first started?—A. There is not enough attention paid to it. I think there are better ways of handling spawn lobsters.

Q. Do the same people attend to it as in the beginning?—A. Yes.

Q. Was there any difference between the trap you fished last year and the one you fished when you first began?—A. The first few years, 15 years ago, I fished with a ring in each end. Now we have the parlour traps.

Q. Why did they change to the parlour traps, what was the reason?—A. They call this a patent, this Wheeler trap, this trap with the double net. On account of the storms the lobsters used to come into a place where they could not eat and the bait would last longer.

Q. And the lobsters could not escape so easily out of the parlour trap?—A. No.

Q. Are the slats nearer together?—A. A little mite.

Q. What are they now?—A. There is no use to lath a trap any closer than three

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quarters of an inch. They did lath them closer, but there is no need of it. Three quarters of an inch is the right width.

Q. What was the best season for lobsters when you were fishing?—A. The fishermen used to set out their lines as quick as they could in the spring, when the ice went out and quit on the 20th July, I think it was. In my opinion the first fishing is the best because the shell of the lobster is hard then, and we used to get good fish. We used not to spoil any, and the men used to get more because they did not catch many spawn lobsters. In this hot weather they shed their shells.

Q. Are there many more traps fished now than when you began?—A. Yes, a great many more.

Q. Do you think it is by fishing an increased number of traps that the canneries are keeping up their pack?—A. Sure, that is the way it is. The men want to make wages, and they will work hard and put out a lot more gear.

Q. And bring in everything they catch?—A. Everything they catch.

Q. How is the regulation in regard to berried lobsters observed here; I suppose while the hatchery is running the fishermen bring in the eggs?—A. They are scraped off, and kept until the man goes by who takes them to the hatchery. But the most of them are dead when he gets them to the hatchery. He goes off at night on some other business. The man does not attend to it at all. He should be there at the hatchery every day as he has charge of it, and he is there about four or five hours altogether.

Q. If the hatchery were properly run, as it was in the beginning, what would you think of its work; did it do good work formerly?—A. I think it did. The first few years it ran I have found from 8 to 10 and 12 little fellows the length of that (illustrating by a gesture). They would be two years old then. One year there would be a lot that long, and you would find just the same in other years. There is no other place they could come from except from the hatchery.

Q. You do not find that condition existing to-day to the same extent?—A. Those little fellows are not so thick.

Q. What would be your idea as to getting the fishermen to register and take out a license?—A. My idea is that a fisherman should have a license this way: That a man would sign a paper to run a gear of 300 traps, if he wants to, to make his living. I would not want a man to have a license that would just fish 50, 60, or 100 traps, but a man that would want to go at it and do business should have a license.

Q. You mean a license to can?—A. No, a license to fish.

Q. Do you think that a fisherman who is under license would be more careful about observing the law?—A. I think he would if he was licensed, and if he had to take care of the female lobsters. If that were done, in three or four years the fishery would need no benefit.

Q. What is paid here for collecting the eggs?—A. Nothing. They get the lobster factory to take the eggs and deliver them free. There is nothing paid for that. There was a big kick made. They did so much work they said they could not attend to it, and the man who attends the hatchery said he would see to it. I guess he did pay his friends a little for it, but the others he did not.

Q. I hear that some men are paid \$6 for the season?—A. There you are, you see, and others get nothing.

Q. As between the fisherman and the canner is there any competition at all in the matter of price or is the fisherman bound to accept what the canner offers?—A. I will tell you this: Mr. Magee and Mr. Melancon are big business men, and the more of the little fellows they drive out they think the better. They telephone each other, and have their price set in the spring, and when one goes to see them they say: 'You cannot have any more, that is all we are paying.' If the fishermen do not want to sell to them, but to take care of their fish, they should have the right to do it.

Q. We find there are cases where a number of fisherman club together, and get a license, and can their own lobsters, do you think that should be encouraged?—A. Yes, I should think that is all right.

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Q. Do you think one man or one firm should be allowed to have a great number of licenses, or would you restrict the number?—A. I don't think it is right for a man to have as many factories as he wants because the rich man will run the poor man down if he has the opportunity.

Q. How is it that certain firms have got so many factories?—A. They ran the other men out.

Q. The original factories were built by small men?—A. Along this shore especially, and I understand up north it is the same way. Mr. O'Leary and Mr. Loggie up there have the whole run. I have not tried for a license because I could not get it. I could make a little more by packing, but I could not get a license.

Q. Would you limit the number of boats any cannery should be allowed to fish?—A. I would.

Q. What would you limit them to?—A. Each factory? I think it should never go above 10 boats to a factory.

Q. What is the average number of cases to a boat, have you any idea?—A. This last ten years back a boat that made 60 cases was a good average. I do not suppose the average boat did go that.

Q. We were told about 50?—A. That is what I was going to say. If the average boat does that it is about as much as it does.

Q. Do the canners take all the small and berried lobsters that are brought to them?—A. They take all they can get.

Q. If the size limit were kept at eight inches what would happen?—A. That would be a good law if strictly enforced. The way it is along the shore it would knock them out because they pack lobsters from five inches and upwards. They are the fellows that are full. The inside lobsters, when you get them small, are the ones that will pack good.

Q. Because they are always full?—A. Yes.

Q. Do you think it is fair to say you get a smaller run of lobsters inshore than offshore?—A. I think it is.

Q. You think you get more small female lobsters inshore than you do offshore?—A. No, sir.

Q. Where do you find most of the female lobsters?—A. Right on the rocky bottom where there is a little seaweed.

Q. Do you think the law in regard to berried lobsters is well observed after the hatchery closes?—A. They look pretty sharp after it. The officers around here are very careful but the lobsters are scarce and the fishermen will scrape the eggs off with their fingers, or beat them off, and take the lobsters to the factory.

Q. And you think that if the fishermen were to be licensed they would be more careful about the law?—A. I think so.

Q. Is there any time in the year when the lobster is not fit for food?—A. Yes, from about the 15th July on to now there are some that are not fit to eat.

Q. That is soft shelled lobsters?—A. Yes.

Q. Does it take long for the shell to harden up again?—A. Five or six days. I have found them soft in the trap and in five or six days the shell will spring back so that it will hurt your fingers.

Q. What is the smallest berried lobster you ever saw?—A. I have seen them down to about seven inches long.

Q. What is the average size of the berried lobsters?—A. About ten inches.

Q. That would be from 8 to 12 inches?—A. Yes.

Q. They are generally good full lobsters?—A. They are good full lobsters as a rule. The big lobster that has spawn is 10 and 11 inches long.

Q. What do you think is the time most of them spawn?—A. They spawn from the 15th June up to about the 15th July. You will find some right along but that is the time you see the eggs falling off. When they are ripe it will only take five

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or six days for the eggs to drop off. They won't drop all at once. I have kept them in my traps feeding them and in five or six days they would be all clean but there would be a kind of slime where the eggs were.

Q. The eggs break open and the little lobsters come out?—A. Yes.

Q. The male lobster and the female lobster come together like a ram and a sheep?—A. They do and I have found them too.

Q. Found them together?—A. Yes, I would swear to that. They would come together as a man and woman standing up, but I would not swear that is what they were at.

Q. But you have seen them joined together?—A. Yes, sir.

Q. In the trap?—A. Right in the trap.

Q. The eggs are fructified by the male and are hatched out on the little swimmerets under the tail of the female?—A. Yes, under the tail of the female lobster.

Q. Have you ever noticed the eye of the lobster in the egg?—A. Yes.

Q. You can see it shine out quite plain when the egg is pretty ripe?—A. That is when they are brought ashore. The trouble is they are scraped off roughly in a hurry. Nobody attends to the eggs at the factory and most of them are left in a pan and not taken away until next morning. Some of the eggs are already hatched out and dead. I was told by a person this year that he lost half a bushel of the spawn a couple of times when the boat did not come.

Q. About what time does the boat come round?—A. It comes about four o'clock every evening.

Q. How far north does that boat go?—A. A. No farther north than Barachois, but he goes farther this year. He is supposed to go to the Barachois factories but I believe he goes farther on other business.

Q. Does the boat belong to the government?—A. It is a boat they hire and give so much a day for, the man and the boat.

Q. Do you think the fishermen on the whole are getting more careful about the eggs of the berried lobster?—A. More careful because they see that berried lobsters are getting scarce. They will gather together and talk about it and that they ought not to be taken. They are talking this summer about the way the eggs have been spoiled; you will find them half rotten. There was a time when they figured they had millions of young fish but the keeper was away and the boiler burned out. For a time something went wrong and they pumped a whole lot of mud among the young fish. That has been the case for years.

Q. There should be a careful man in charge?—A. And right there on the spot, but he is not there.

Q. What percentage of the lobsters taken are females with eggs?—A. I think between five and six per cent are females with eggs. On some bottoms you will find ten per cent. They might number more, but that is what I judge.

Q. Out of every hundred lobsters what number is less than eight inches?—A. 65 or 70 as a rule. I have seen some lobsters that the fishermen bring in would number 90 with us when this hatchery was running good, and there would be 50 I should judge between five and six inches.

Q. Do you think there is any chance here of establishing pounds where the berried lobsters could be kept?—A. Yes, there is a very fine place at Shemogue harbour.

Q. You want a place with a certain depth of water where the tide flows in and out and there is not too much fresh water?—A. There the tide runs in and out so that a boat can sail right up.

Q. Do the lobsters go in there?—A. There may be some. And then in Shediac harbour, to the west of it, there could be pounds.

Q. Do you think the cannery would be obliged to close down if the 8-inch size limit were strictly enforced?—A. There might be one or two that would stand it, but not many. I think if they were forced to take no larger than eight inches they would have

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to shut down because they would go so far in debt in a few years they would not come up again; they would not pack enough to pay wages.

Q. Some would stand it while others would go to the wall, you think?—A. Yes, they would not get the fishermen. That would be the real trouble, they could not get the fishermen to go at it.

Q. What do you think would be the best way to induce the fishermen to put the berried lobsters back in the water?—A. It would be for the government to pay the fishermen the money they are now paying to those lazy fellows in the hatchery. It would not amount to much for each fisherman. The man that runs the boat ought to have so much to leave his lobsters there, or have a tub or box of fresh water. He could have fresh water every half hour in his boat and put the lobsters into it, and then let somebody take them or place them into these pounds if they are established. Or the fishermen could leave the lobsters in their traps until they are hatched. To throw the lobsters back would be too much work; they would be back in the traps the next morning.

Q. What would happen if the berried lobsters were brought in shore and liberated in shoal water?—A. I think it would be all right, they would hatch out; but the great trouble would be there are so many trawls inshore the fishermen would get them back again. That would be the great trouble, and the most of them are caught outside.

Q. If the canners refused to accept berried or undersized lobsters, what would the fishermen do?—A. They would not fish around here, it would not pay them.

Q. Are berried lobsters more numerous at one time than at another?—A. They are about the last of June.

Q. Are you aware of any fisherman having lost his catch of lobsters owing to the refusal of the canner to accept them?—A. I have.

Q. How did it happen?—A. Because the canner had too many boats and could not handle the lobsters. In fact he got full up with lobsters. He bought them and put them in stacks, but they died there, and at last the canner refused to take them. He had thirty-two boats more than the capacity of the cannery could handle. At last the fishery officer came there about it, and he stopped the fishermen from bringing them ashore. The fisherman could not fight the canner, because he had not enough money. You know what it is when it is a case of fighting a moneyed man. Mr. Melancon has made money. He came in a poor man. He has a nice factory with eight boats. He always has a crowd to handle his fish, the factory is always clean, and the lobsters are packed in good shape.

Q. How many boats does he fish at the other factory?—A. I think he runs eight boats the same as here. That year there was a great scene when all the lobsters died.

Q. The Lobster Commission of 1898 suggested the temporary cessation of lobster fishing in certain areas, what would you think of that?—A. I would not think anything of that. There are a lot of men behind time. Lobsters have been slack. Those men work at the lobster fishing, and they depend upon it for a living. If lobster fishing were stopped for two or three years, there is nothing they could fish to meet the bills they have incurred from one year to another. That is the reason why I would not like to see it stopped.

Q. Do you think the present restriction of canning licenses is satisfactory?—A. Would you like to see men like Mr. Loggie and Mr. O'Leary get all the business they want to get? They get all the licenses they can. If there is a little firm dealing with them they try and run him under to get his license. I think that is unfair.

Q. Do you think that a fisherman should be granted a license if he can establish the fact that he can pack properly?—A. Yes, that is what I think. That is, to a certain extent. I would not grant too many licenses; I don't believe in that. I would like Mr. Loggie, or Mr. Melancon, or Mr. Magee, the big business men, to run to a certain extent five or six factories, but not swamp all the rest because they are big men. I have talked that over with Mr. Chapman, the fishery inspector in Moncton, and he says it is unfair. You do not think it is right yourself, do you?

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Q. I would not allow it?—A. That is right. Still that prevails down here, and it is unfair, I think. I have been fishing for fifteen years, and I had to pay \$2.25 to get my lobsters packed. It was too much. I had to give up. Where lobsters can be packed in the spring of the year they can be packed for 75 cents to \$1.10 a case. It has been done and money made out of it. A canner told me he packed for \$1.10 and made money, but because I was stuck and had not a license and had to go to these fellows they charged me \$2.25. That is not right, that is not fair.

Q. Do you think that the live lobster trade pays the fishermen better than selling their lobsters to the cannery?—A. I think it would if they had a chance to do that.

Q. Only the big lobsters are shipped, it is not so hard on the lobster fishery?—A. But after a while they would see the way they would have, getting a lot of nice butter on their bread. It cannot be done here because we have no chance to do it. But where they have a chance and do it, they make more money because they can get more big lobsters after a while.

Q. Do you think there is any combination on the part of the packers to keep down the price paid to the fishermen?—A. I think there is. I know that for a fact.

Q. If a number of fishermen join together and are able to put up the necessary capital and provide the necessary equipment for a cannery, would you favour granting a license to them?—A. I would be in favour of that if there were two or three, or four or five men, who had any means. I would not want any man who had not a cent to go into it. Men with \$400 or \$500 apiece that want to go into it ought to have the right to do so.

Q. The fishery inspector ought to be able to know who are the men competent to go into the industry?—A. A man like Mr. Chapman ought to be able to say about these men : 'Well, they are all right.'

Q. Would you favour any change in the size limit from 8 inches?—A. I would not want to see them taken under 8 inches, I think it would close the factories up. but I would not allow them to take as small lobsters as they do take, down to 5 inches, I think it is no use.

Q. What would you think of changing the season in this particular section, say begin to fish July 15 and fish to the end of September?—A. It would be no good to us here. After the 20th August we have frequent storms and heavy weather and could not get out. For one fellow who could fish, two or three could not do any fishing at all.

Q. When fishing first commenced were the lobsters of a fairly good size all over the coast?—A. Along this coast when I first commenced about 15 or 16 years ago they were full-sized lobsters.

Q. Have you any recollection of the largest lobster you have ever seen?—A. I remember when I was not fishing of seeing one that weighed 14 pounds.

Q. Do they still occasionally catch big lobsters?—A. It is very seldom.

Q. When they got very large lobsters in the old days they used to fish with the hoop?—A. Yes, I guess there is none now. One caught two or three years ago was 21 inches from the end of the nose to the end of the tail. The fisherman thought there was a lot of lobsters and that his trap was too small. He put on big rings to his traps and occasionally an extra trap to his line. He did not do very much that year, it just happened that way.

Q. Do you think there is any reason why the size limit should be smaller on one part of the coast than on another?—A. I don't see any reason for that.

Q. Do you think a larger percentage of lobsters is required in the fall to fill a pound can than in the spring?—A. It takes about the same in the fall after they have shelled, but the spring is the best time.

Q. As the meat is firmer then?—A. The meat is firmer and it is easier to make good canned lobsters.

Q. Do you think it would make any difference to keep the lobster fishing farther off shore and not allow any to be done in shoal water?—A. I don't know whether that would be any different or not

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Q. On some parts of the coast you will find them fishing in a fathom or a fathom and a half and they seem to catch a very small run of lobsters in that water?—A. You can catch just as many lobsters outside if you strike the right bottom. I know two fishermen fishing in this very spot used to bring in here 500 or 600 pounds weight a piece on a strike, and I am sure they must have had thousands and thousands of them, but 100 would hardly cover the bottom of a tub. These little fellows stay on certain bottoms.

Q. When is the best time of the fishing here for the quantity of fish?—A. From the 20th July to the 1st August. There are about 10 to 12 and 15 good fishing days about that time.

Q. Are there many days in the fishing season when you cannot get to your traps?—A. There are some seasons quite a few, others not so much. I have known a season when we would lose our fishing for a week owing to the very high wind.

Q. What would you think of doing away with the size limit altogether and shortening the season?—A. It would be pretty hard to do that, the season is short enough here now. I suppose, as you said, we want to have some protection, but, as I told you, if they take lobsters too small it won't do. If the fishermen are not to take them under 8 inches, not to take them any smaller for two or three years, it would crush them to the wall. The fishermen could not stand it, they would not fish. If you had a strict rule not to take one under 8 inches the men would not fish here at all.

Q. Is there anything more you would like to tell us?—A. The whole thing to increase the lobsters here—I am under oath to tell you what I think whether it is right or wrong—is this: For the protection of the berried lobsters the fishermen should be paid for taking care of them. Give them an interest in it. With the bottom we have got right off this very coast, if the female lobsters were taken care of and the number of boats for each factory limited, the fishery would never run out, we would always get from 8 to 9 and 10 tons of fish each boat and make a good living out of it. But it is no use to bring the female lobsters ashore unless they are taken proper care of. I should say give the fishermen a certain amount of money to keep these berried lobsters or have a regular hatchery to place them in there. Or else make it a rule in the case of a man that runs a hotel and runs a hatchery also, that if he does not do his work right you would discharge him and put another man on it. If those female lobsters were protected we would never run out of 8 or 9 and 10 tons of fish. We have caught as high as 15 tons of fish to a boat. One female lobster will give you millions of fish if the spawn is taken care of, and if the fishermen were paid well for these lobsters by the government they would take an interest in it. But the way it stands here, where the spawn is taken to a hatchery the fisherman has no interest in it because he sees the little fellows are destroyed. I knew one factory where the boat collecting the spawn never called all the summer, and a fisherman told me he never brought the female lobsters ashore. The small black spawn lobsters I think it is useless to take to the hatchery; they do not ripen that season. My opinion is that if that spawn is scraped off it will only spoil. The spawn that is pretty nearly ripe would hatch if taken care of. There are lots of occasions when the boats come along at half past ten and the eggs are scraped off and remain until some times after five. In some factories the spawn will remain there until the next morning and then they will throw it out.

Witness discharged.

Commission adjourned.

SHEMOGUE, July 28, 1909.

TEDDY S. LEBLANC, factory employee, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. Thirteen years.

Q. Always in this part of the country?—A. In various places.

Q. How long have you been working here?—A. About five summers.

Q. How many boats is this cannery fishing this year?—A. About 25 boats.

Q. Fishing on an average how many traps?—A. About 250.

Q. What number of cases is this cannery prepared to pack?—A. About 1,000, and we packed about that number last year.

Q. And the year before?—A. Pretty nearly the same.

Q. And what is the largest pack you ever made?—A. Up to 1,000.

Q. Have you always fished the same number of boats, or are you fishing more than usual?—A. Less than usual.

Q. What is the largest number you ever did fish?—A. 27.

Q. Has the supply been kept up by taking smaller lobsters than you used to use?—A. It is pretty nearly the same size every year I guess.

Q. Do the fishermen own their own boats and gear?—A. Some are owned by the factory and some by the fishermen.

Q. On what lay do the fishermen who use their own gear sell their lobsters?—A. By the ton.

Q. At what rate?—A. \$60 this year.

Q. What was paid last year?—A. \$75.

Q. What was the decrease in price the result of?—A. It was owing to the depression in the market.

Q. How are the men who are hired by the month paid?—A. They were paid less this year.

Q. There is a hatchery here to which you give the spawn from the berried lobsters?—A. Yes.

Q. Do they come here for the spawn?—A. Yes. We take the spawn off here.

Q. What arrangement is made about doing it?—A. Mr. Magee is paid \$25 a year, and agrees to save the eggs for the hatchery.

Q. Are the eggs usually delivered in good order?—A. Yes.

Q. When the hatchery is closed what becomes of the berried lobsters?—A. After the season they stop spawning, and you don't see many berried lobsters.

Q. Is the practice of brushing off the eggs followed by the fishermen here?—A. They used to slap the tails of the lobsters on the water and bring them ashore. Everybody knows that.

Q. How many pounds of green lobsters does it take to make a case here?—A. Over 200 pounds to make a case.

Q. Of green lobsters?—A. Yes. Sometimes it takes less in the spring when they are hard shelled.

Q. Could you tell me what proportion of the lobsters that come to the factory are under 8 inches?—A. There are lots under 8 inches.

Q. What is the smallest sized lobster you can?—A. 6 inches.

Q. If the canner refuse to accept the small lobster under 8 inches, would the fishermen give up fishing do you think?—A. That is what they say. They say if they don't take the small lobsters they can't run the factory.

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Q. What would you say was the average size of the lobsters you pack here?—
A. Fifty per cent is above 8 inches, and 50 per cent under.

Q. What is the best time of your fishing here, when do you get the most lobsters?
—A. Now.

Q. You are in the height of fishing?—A. Yes.

Q. Is that the case every year?—A. Yes, from about the 15th of July to the first part of August.

Q. Does it slacken off a little towards the end?—A. After next week it will begin to slacken off.

Q. Is there any illegal packing done in this neighbourhood after the 10th of August?—A. Yes, I have heard of some boats fishing.

Q. Where do they pack those illegal lobsters, in canneries or in their own homes or in the woods?—A. In their own homes, I suppose.

Q. Is there much of this illegal fishing and packing done?—A. Oh, no, but there is some.

Q. How many hundred cases would you say?—A. It is pretty hard to tell.

Q. Do they get labels put on them?—A. They sell them all right.

Q. Somebody must buy them?—A. Yes.

Q. Have any new licenses been granted in this neighbourhood for canning?—
A. I don't think so.

Q. In your opinion, should a license to pack be given to every man that applies for it?—A. I think every man has the same right to pack.

Q. Do you think there are canneries enough on this part of the coast?—A. Yes, sir, for the quantity of lobsters there are enough.

Q. Has the decrease in the supply of lobsters continued?—A. For the last two or three years the diminution has not continued.

Q. Do you think that if licenses are granted more freely a guarantee should be required that the lobsters will be properly packed?—A. Yes, I think some guarantee should be required.

Q. Are you aware of any complaints by the fishermen that the price paid by the canners for lobsters is not enough?—A. Of course the fishermen think they don't get enough.

Q. Do you know of any case where the packers have refused to accept lobsters from the fishermen?—A. A case occurred here three or four years ago because the run was too heavy, they got more than they could handle.

Q. What happened then?—A. I did not work here that year, but I heard it said they had to throw the meat away.

Q. If the canners were closed here what would happen to the fishermen?—A. It would make pretty hard times for the fishermen.

Q. What do the fishermen do when the lobster fishing is over?—A. They go to the woods in winter, they don't do any other fishing.

Q. What do you think is paid for live lobsters?—A. I have heard that they pay \$140 a ton.

Q. What size do they require the lobsters to be?—A. I understand they require them to be 9 or 10 inches long.

Witness discharged.

Commission adjourned.

CAPE TORMENTINE, July 28, 1909.

THOMAS W. ATTWOOD, Superintendent, Portland Packing Company, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing business?—A. 22 years.

Q. Are you a Canadian?—A. I am a Canadian, I was born in Nova Scotia but reside in Portland, Maine.

Q. How many canneries are there under your control?—A. There are four around here, and then we have four under contract this year, making eight in all.

Q. Are there many other canneries licensed in your neighbourhood?—A. Quite a number.

Q. How many boats do you employ?—A. We have 49 at our own four canneries, and I could not give you the exact number of boats at the other factories.

Q. What number of hands fish the boats?—A. That varies at different times during the season.

Q. As a rule I suppose there are two men to a boat?—A. Fishing the boats you mean and not in the factories? Well in these 49 boats there will be about 90 men.

Q. I see you are employing gasoline boats now?—A. Quite a number of them.

Q. And in the factories what is the average number of hands you employ for the season?—A. I should say it would average about 80 for the season in our own canneries.

Q. What will be the average capacity of these four canneries?—A. About 750 cases for the four canneries.

Q. What would be the total average?—A. We pack at the four canneries ordinarily about 3,000 cases. That will be about 750 cases on an average.

Q. And what do the packs of the other canneries represent?—A. They would represent about 350 cases.

Q. Is your annual pack decreasing or otherwise?—A. Well that depends on how far back you go.

Q. That is one of the points we want to establish; during the last ten years how has it been?—A. During the last five years I should say that our pack has increased. Of course we have yet to know what our pack this year will be. Last year and the year before, our pack here was practically the same. We got just about the same pack in 1908 as in 1907, and the year previous to that our pack was very small.

Q. Would you venture to say that during the last ten years the pack has been about an average?—A. Well, I think so, Commander. There has to be some consideration taken in that of the fact that we employ more boats now than we did ten years ago. We are getting as many lobsters but we have more gear in the water.

Q. What would be the average number of traps fished per boat?—A. About 350.

Q. How will the pack to-day compare with that of 20 years ago?—A. It is not very much less than it was years ago. Of course 20 years ago the industry was practically new. I think it is about 30 years ago since the industry was first started here. At that time the lobsters were very plentiful and the men then used to go out a short distance from the shore and come back with a boatload. The lobsters of course are not as plentiful as they were at that time because then it was a virgin industry.

Q. The Portland Packing Co. was about the first to engage in lobster packing in this neighbourhood?—A. Almost. I think the business had been carried on only three or four years when we started.

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Q. The Americans were the pioneers in the lobster packing industry were they not?—A. I think so.

Q. Do the fishermen own their own boats and gear, or do you supply the outfit?—A. About two-thirds of the fishermen own their own gear.

Q. Are the balance of the fishermen employed by the month, by the run, or how?—A. By the hundred weight.

Q. And those that fish their own gear sell the lobsters to you by the hundred weight?—A. By the hundred weight.

Q. How does the price per hundred weight compare with that paid, say, twenty years ago?—A. Twenty years ago, I think, we paid 40 cents.

Q. And this year?—A. This year we are paying \$1.15.

Q. I understand the price paid this year is slightly below that of last year?—A. Last year we paid \$1.50. That was where we furnished the gear. When we first located here we owned all the gear so that we cannot make a comparison. To-day we are paying \$3 per hundred weight where the fishermen furnish the gear as against \$3.75 last year.

Q. How would the amount of gear you put out now compare with the amount of gear you fished twenty years ago?—A. I should say that twenty years ago there was not more than one-third the amount of gear we are using now. Of course, these are only approximate figures.

Q. It shows evidently that you require a much greater amount of gear now?—A. It doesn't show that entirely. If there was a smaller amount of gear in the water to-day there would be as many lobsters landed, but it would not be cut up quite as much among the fishermen.

Q. Has the number of canneries increased during the twenty years?—A. It has decreased very largely.

Q. There are not as many as there were twenty years ago? The number has decreased in the last ten years, I have no doubt?—A. Not on this coast. The decrease is a constant decrease.

Q. Then it is going on still?—A. Not, perhaps, within the last three or four years, but I should say that five years ago—ten years ago anyway—there were at least one-third more factories.

Q. What was that decrease in the number of factories due to?—A. Simply to the fact that they could not run profitably and went out of the business. Quite a number of the small factories were operated by fishermen who have abandoned those factories and to-day are selling their lobsters to some larger factories instead of operating their own.

...

Q. Did you fish as far off shore in the early days as you do now?—A. Now they go very much farther out. I should say that twenty years ago there was not a boat went over three miles.

Q. In what depth of water do they fish?—A. Three to five fathoms.

Q. Do the trawl lines here run parallel with the shore?—A. They have to run with the tide. They cannot run across the tide.

Q. What is the greatest distance now they fish off shore, I suppose they meet right across here?—A. Some of our boats are fishing nearer the Island shore, that is they overlap each other.

Q. How does the average size of the lobsters caught to-day compare with the average size when you first had to do with the industry?—A. When I first came down here I had been in the lobster business two or three years before that. We were operating a factory at Shemogue and at that time we were packing quarter-pound cans then because the lobsters ran so small. I think to-day we are getting a larger run at that factory than we did twenty years ago. At this factory we have always had a good run of lobsters as to size. I mean the factory right at the point about a mile above here. The same would apply to the factory at Cape Jourmain. I should say that in twenty years the lobsters have decreased in size quite a little. Take

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the average run and I should say at those factories they have decreased. At the factory just about 15 miles from here they have really increased if anything.

Q. Are you taking a class of lobsters to-day that you did not pack twenty years ago?—A. We have been packing about everything that came to us.

Q. Touching on that question, how has the regulation been observed here?—A. In regard to the size limit, do you mean?

Q. Yes.—A. I should say it has never been closely observed, but a few years ago there was an attempt to enforce the law. Some years ago—in fact, quite a number of years ago—there was really quite a slight attempt made to enforce the law. The officers would come around, perhaps, and I know during the Conservative regime a number of years ago—

Q. In Sir Hibbert Tupper's time, was it?—A. In Sir Hibbert Tupper's time, the inspector at that time made a practice of imposing a fine, a nominal fine, once during the season.

Q. It was the practice then to impose a fine?—A. But it really made no difference in the packing of the lobsters. We paid the fine and looked happy.

Q. Since then have fines been imposed?—A. I do not know of any fines being imposed on account of the size limit for a number of years.

Q. Have any fines been imposed for taking berried lobsters?—A. No, I should say the only fine that I know of has been imposed for fishing in the close season.

Q. Is there much fishing going on now during the close season?—A. I think not.

Q. There seems to be some along the shore?—A. There is more or less, but I think very little within the last few years. I know that the officers have done their best to enforce the close season along this shore for a number of years.

Q. Could you give me any idea where the lobsters taken in the close season are packed?—A. They are usually packed by some fisherman. Some fisherman who owns gear, for instance, when we close our factory at the end of the season will within two or three weeks put out a small gear of 100 traps, or something like that, close inshore and pack the lobsters so taken in his house or wherever there is opportunity to pack.

Q. How are these lobsters usually disposed of?—A. The late pack? Usually among the local merchants, I suppose.

Q. They are sold without any label or anything of that kind?—A. I presume so.

Q. Your season extends here from the 25th May to the 10th August?—A. Our season extends from the 25th May to the 10th of August. We are not allowed to run our lines or to put out any gear until the 25th May, consequently it is the 1st of June usually before we land any lobsters, and we fish until the 10th of August.

Q. Within that time what is the best period of the fishery?—A. It may surprise you when I tell you that our factories only extend along about fifteen miles of the coast here, and that at our factory at Little Shemogue the best part of the season when the lobsters are most plentiful is usually the last two weeks in July. That applies also to our Botsford factory, two miles from the coast, and to our factory at Jourmain; but we get our best fishing off here, where our fishermen set down pretty well to the line that runs across, in the month of August. The ten days in August we usually put up half our pack.

Q. Do you think there is any part of the season when the lobster is not fit for human food?—A. No, I do not think there is any part of the season when the lobster is not fit for food. That is, it is not poisonous, and there is no time during the season when we can put up such nice looking goods as after the lobsters have shed their shell. They are brighter and nicer looking goods than the spring lobsters. They are not as good lobsters if you want lobsters to eat, but as far as their appearance goes in the can they will be better looking, and they are perfectly wholesome. There is no time when lobsters are unfit for food.

Q. When the hatchery is running are the eggs from the berried lobsters preserved for it?—A. They are as far down as our Jourmain factory, but the boat which collects the spawn does not go below that.

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Q. Then what is the practice here with regard to berried lobsters?—A. I am under oath, I suppose? We take the berried lobsters here, and there is no way we could prevent the taking of them. That is, if we told our fishermen we would accept no berried lobsters we would get none; I mean no lobsters with eggs on them. But it is a very easy matter for the fishermen to remove the eggs outside, and there is no possible way to prevent that except by establishing a hatchery right here at Cape Tormentine, where there should be one. There is no place on the coast where the hatchery could be better supplied than right here, and we could get the eggs for them in better condition.

Q. What is the average size of the berried lobsters?—A. I should judge they might average about $9\frac{1}{2}$ inches.

Q. What is the smallest sized berried lobster you have any recollection of seeing?—A. The smallest berried lobster I ever saw was a 7-inch lobster.

Q. Are there many of that size?—A. I should say very few, a very small proportion of them. I have seen 7-inch lobsters with berries on, I don't think I ever saw any smaller than that. You will find lots of 8-inch berried lobsters.

Q. What percentage of the lobsters taken in this neighbourhood in the traps would bear eggs?—A. Well, if that question applies to the present time——

Q. I mean in various times of the season?—A. We are getting no berried lobsters now, you might say practically none.

Q. I suppose that any lobster found to-day with berries is not going to hatch them out this season?—A. I do not imagine so. You find practically no berried lobsters now. We do not know if one comes into our factories to-day, but in the spring it is different. You know about 50 per cent of the lobsters are males anyway——

Q. All the female lobsters do not have extruded eggs?—A. And that cuts out 50 per cent of the lobsters right here. I should say that perhaps during the month of June 20 per cent of our lobsters are berried lobsters. I may be putting that pretty high, but I should think that would be about right. We have no specific data on that point.

Q. And what would you say as to the proportion of berried lobsters during the month of July?—A. From the 1st July until the 15th we get very few lobsters here anyway. It is about their shedding time. It is about two weeks before the lobster sheds and two weeks after that they are not looking for food. Anyway, we get very few at that time of the year. There would be a very small percentage at that period.

Q. What would you consider the principal spawning month of the lobster in this neighbourhood?—A. The month of June.

Q. Is the practice of stripping or washing off the eggs from the berried lobsters followed by the fishermen?—A. Not here, because it has not been necessary.

Q. Do you think it would be possible to get the fishermen to return to the water all the berried lobsters they catch?—A. No, I don't think so.

Q. What would happen if the canner absolutely refused to take them?—A. They would simply remove the eggs from the lobster before they brought them to the factory.

Q. It would be difficult to detect the lobsters that had carried berries when they were brought to the factory?—A. Almost impossible, it would take an expert to do that.

Q. Do the canners make any scruple about accepting berried lobsters?—A. Not on this coast. You understand that from our Jourmain factory all along the coast here the eggs are removed from the lobsters at the factory and carried to the hatchery.

Q. Wherever the hatchery boat calls?—A. Yes, I think possibly the canners would object to taking delivery of the berried lobsters except for the fact they know it would be no use to do so, they would get them just the same.

Q. It has been suggested that one method of protecting the berried lobsters would be for the government to buy them from the fishermen at a slight advance on the price paid by the canners and liberate them at once?—A. That would be a very nice thing for the fishermen. They would get those lobsters day after day.

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Q. And they would be paid for over and over again? What do you say as to placing the berried lobsters in pounds?—A. If they were placed in pounds that would be a different proposition.

Q. And retained in pounds until the close of the season when they would be set at liberty. Which of these suggestions would you consider the most effective?—A. the only practicable one would be to place the berried lobsters in pounds.

Q. Do the facilities for establishing pounds exist here? What we require for a pound is a sheltered place with a certain depth of salt water and a free inflow of the tide involving only a reasonable outlay?—A. I do not know of any place on this coast where it would be practicable. This coast is very exposed and there are practically no harbours..

Q. What would you think of the proposition requiring the canners to pay an increased fee, instead of 2 cents a case as at present, and in that way realizing a fund for the purchase of the seed lobsters from the fishermen?—A. Well, so far as our people are concerned there would be no objection to that.

Q. That was Mr. Tidmarsh's suggestion before the Marine and Fisheries Committee?—A. There would be no objection to that for the reason that it would go towards creating a monopoly of the business; it would cut out the smaller packers. Of course none of the larger packers would object to it, but the smaller ones would. I do not see that it would be a fair proposition, but our people would have no objection to it.

Q. You have told me I think the proportion of lobsters packed below the legal size limit?—A. Well, that varies so at our factories that it is a pretty hard question to answer. We have one factory—the factory I spoke of at Shemogue—where I should say that 80 per cent of the lobsters—at least 60 per cent—will run below that limit. At our other factories I should say that possibly not over 30 or 40 per cent would run below the limit of 8 inches. In other words it would not be over 30 per cent at all our factories with the exception of the one at Shemogue.

Q. If the present size limit were strictly enforced what effect would it have on the canner?—A. I should think it would close the factories. Even if we could operate our factories profitably on the lobsters that would run 8 inches and upwards, the fishermen could not afford to throw away the lobsters below the legal size limit. We would be unable to secure fishermen to operate our factories.

Q. It has been said that in certain districts no lobster canner could continue packing and observe the legal size limit?—A. That is true.

Q. Would you favour any increase or decrease in the present size limit?—A. Well if the size limit is to be enforced as it should be—that is, if you have one—I should favour a decrease in the size.

Q. A decrease to what?—A. I should be in favour of removing the size limit entirely. It has practically been the way the law has been in operation for a number of years.

Q. Would you favour a shortening of the season to make up for that?—A. I do not see how you could shorten the season very well here and operate the factories successfully.

Q. Would it be possible to operate here at any other season? Of course the great object is, if possible, to save the berried lobsters?—A. Of course you are looking at the protection of the lobster.

Q. Yes, we are looking at the matter from that point of view. It has been suggested that it might be possible in this district to begin fishing say on the 15th July and go to the end of September. In that way you would avoid taking the berried lobsters, would you not?—A. We would have no berried lobsters whatever. But I will tell you how that would result, in my opinion: We get the bulk of our lobsters after they have shed. There is a worm that frequents the water out here, that is the borer,

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which begins to operate on the traps in August, and such a season would mean that the gear fished from July 15 until the last of September would be practically ruined.

Q. Ruined in one season?—A. Ruined in one season. The fishermen would need to be furnished with new gear after the season.

Q. What is the average life of a trap?—A. Three years. I repeat, the fishermen would have to put out new gear every season. Furthermore, the rope during that season of the year rots very much more rapidly than it does during the colder part of the season. The season proposed would mean that it would cost the fishermen every year somewhere about \$350 to fit out the gear, whereas now it costs them \$100 to \$150 to keep their gear in working order. That would be one objection to a late season. Then again the lobsters would be taken in such quantities during that season that in my opinion inside of three or four years you would not catch any berried lobsters; you would take the female lobsters just the same and in three or four years there would be no lobsters left to spawn the next year. I think such a season would be more destructive to the fishery than the present one. Of course I am simply giving you my personal opinion.

Q. What were the regulations in force when you first began canning here?—A. The first season that I spent on this shore I could not say when the season opened whether it was the 1st of January or not. Anyway we were allowed to put out our gear as soon as the weather conditions allowed. I think the season began on the 1st of January, but it does not make any difference in this district anyway. We were allowed to put out our traps as soon as the ice went and the first year I fished on this coast we fished on till the 20th September.

Q. Then did you stop fishing on your own account?—A. No, the season ended the 20th September.

Q. I think in the early days of the fishery the fishing season omitted the month of August?—A. That was not so here. We fished from the time the ice left until the 20th September that year. Then shortly afterwards the season was changed, and ended on 15th July, and it was almost an invariable practice to grant an extension of from fifteen to twenty days which made our season practically until the 1st of August.

Q. When lobster canning first commenced were not the lobsters on this coast everywhere about the same size?—A. Do you mean along the entire coast?

Q. Along the entire coast, everywhere?—A. As I was telling you a few minutes ago, when I came here something over twenty years ago the lobsters ran smaller at our factory fifteen miles from here than they do to-day. There is a gentleman present who had charge of that factory for fourteen or fifteen years and he will corroborate my statement.

Q. That was at the very beginning when lobster canning was first established?—A. Yes. We were getting at that time a very large run of lobsters here. They ran really smaller than they do to-day. We were buying at that time two for one.

Q. Do I understand you to claim that there are smaller runs of lobsters in some districts than in others?—A. I know that to be so. We have a number of factories on Prince Edward Island. There is one at Watford where the lobsters run very small, averaging about eleven to the can. We buy by count there and they run about eleven lobsters to the pound can.

Q. And was that always the case?—A. Ever since we operated the factory.

Q. Is the fishing done there in a sheltered place or in a place where the small lobsters have a habit of running into?—A. I do not know much about the conditions there because I have not had very much to do with the factory. I see the reports when I go home in the fall.

Q. To what cause do you attribute the decline in the lobsters where there has been a falling off?—A. One reason is that they fish a smaller trap with a smaller hoop and the large lobsters are not able to get into that trap. We took a lobster here last summer that was caught on the outside of the hoop. It weighed about eight pounds. The top of the trap happened to be open and the lobster went in that way but the large lobsters cannot get into our traps.

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Q. Has the hoop been made smaller within your recollection?—A. Yes, it is not much more than half the size it used to be.

Q. Are you fishing the same trap now that you fished at the beginning?—A. No, we are fishing the Wheeler trap or parlour trap with three heads.

Q. What was the object in changing the style of trap?—A. To prevent the lobsters from escaping from the trap. When a lobster is the full length of the trap it will get away down to the far end and it will take a shoot right out through the funnel. With the trap in the middle they do not have the same opportunity to take that shoot.

Q. Are the slats put closer together now than they were originally?—A. I think they are but I would not be positive.

Q. Do you think there would be anything gained by insisting upon having the slats, at all events those in the bottom, put farther apart?—A. It would liberate some of the smaller lobsters.

Q. Do you think that different size limits and different seasons in adjoining sections of the coast are unsatisfactory and tend to encourage violations of the law?—A. I think it may to a certain extent where the line is drawn. For instance there is a division line right here.

Q. Across to Cape Traverse?—A. Yes. It just runs down to Crapaud or there somewhere.

Q. Where does it begin on this shore?—A. It begins at Indian Point just a short distance above our factory. I never could see any reason why that dividing line should have been made there. If they had drawn a line down to the middle of Baie Verte across to the Island shore, it would have given the New Brunswick shore one district and the Nova Scotia shore the earlier season that they want over there. But here there are factories within half a mile of each other having different seasons. There is no reason that I could ever see for that and the tendency is—you take this district above us here and it is a pretty difficult matter to close those factories down and leave the others running for practically a month longer.

Q. Do you think it is in the interest of the future of the lobster industry that lobsters should be taken before reaching the age of reproduction?—A. Of course you can only answer that question honestly and in one way: It certainly is not.

Q. The statement has been made authoritatively that a strict enforcement of the 8-inch size limit, together with the assistance of hatcheries and pounds, would perpetuate the lobster industry; would you concur in that?—A. I should say that a strict enforcement of the 8-inch size limit was not calculated to protect the industry. I have more faith in hatcheries. I know that the Pictou hatchery has done great work down there for the propagation of the lobster, but the hatchery at Shemogue is really too far removed from its base of supply. I think that wherever you find a spawning district a lobster hatchery should be established there. I believe that a strict enforcement of the close season and the establishment of hatcheries at points where the spawn is available are all that is necessary to perpetuate the lobster industry.

Q. Then you are in favour of hatcheries?—A. I certainly am.

Q. Would you recommend an increase in their number?—A. I certainly should.

Q. What do you think about the present method of gathering the eggs, do you think that the majority of those eggs reach the hatchery in a viable condition?—A. I do not.

Q. Would it be possible to bring the lobsters alive to the hatchery?—A. I should think that would be a rather difficult thing to do.

Q. What is the trouble here with the delivery of the eggs at present?—A. Well, it is due partly to the method by which they are collected, and partly to the character of the man you have engaged in collecting them. Men who are not interested in the business, who are simply working for their day's pay, are not particularly concerned as to whether they get the eggs to the hatchery alive or dead as long as they get them there.

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Q. Is not the hatchery run as well now as when it was first started?—A. I am not really able to say. There is a hatchery some distance from us and I have never visited it but twice.

Q. What have you to say with regard to shipping live lobsters to market, is it possible to do it from here?—A. I do not believe it would be.

Q. The facilities for successful shipment do not exist?—A. And on account of the character of the lobster.

Q. There is not a sufficient number of large lobsters?—A. Not so much that as that the lobsters we get in this Strait are not as hardy as the Atlantic lobsters. You take the weather as it has been to-day. It has been a very hot day and even when these lobsters reach the cannery from the boats, having been only out of the traps from three to four hours perhaps, we get quite a large percentage of dead lobsters; they have not the vitality of the Atlantic coast lobster and for that reason I do not think——

Q. Is the temperature of water here higher than on the Atlantic coast?—A. Yes, I should imagine so.

Q. A live lobster industry has been started at Shediac and a man connected with it has been buying lobsters above here.—A. I heard something about that this summer. He is shipping by express every day and getting the live lobsters into the market very quickly, but the charges are very high upon these shipments and it would be only certain times during the season when it would be profitable.

Q. Do you think that where the necessary facilities for shipment exist, the live lobster trade is a more profitable one for the fishermen?—A. I presume that in Western Nova Scotia the fishermen derive the larger part of their receipts from the live lobster trade.

Q. There is no lobster canning in the State of Maine now?—A. None at all.

Q. The trade there is entirely one in live lobsters?—A. Entirely.

Q. Have you any idea of the regulations in force in Maine; there is no size limit is there?—A. There is a size limit.

Q. But no close season?—A. I think there is no close season. We are not engaged in the lobster business in Maine in any way, but I know there is a size limit and I think they are allowed to fish the year round.

Q. Is it the case that canners are compelled to accept undersized and berried lobsters from the fishermen for fear they would, in case of refusal to take such lobsters, sell them to other canners less scrupulous?—A. Yes, that is true. For instance we come down here in January to engage our fishermen. If we were to tell those men that we would accept no berried lobsters or no lobsters under 8 inches we could not hire a man among them.

Q. How many pounds weight of green lobsters of each size does it take to fill a pound can?—A. As to the size that makes very little difference. There is a slight difference. Do you want our average here for the season for the can or the case?

Q. Either way.—A. We average, take it the season through, about $4\frac{1}{2}$ pounds to the can and there is very little difference between the small lobsters and the large lobsters. The small lobsters are more profitable to the canner than the large ones.

Q. Down to what size?—A. Down to any size that we take. For instance, at our Shemogue factory where we are getting small lobsters it takes fewer lobsters to the can, than it does down here where we get a larger run. There is a difference of about half a pound to the can.

Q. But how about number?—A. In number, as I say, on the Island it takes practically 11 lobsters. We buy by weight entirely here and it takes about $4\frac{1}{2}$ pounds to the can on the average.

Q. It has been suggested that for the better protection of the lobster the fishermen should be required to register and take out a license at a nominal fee. What effect would that have upon the fishermen, would it make them more likely to observe the

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regulations?—A. I cannot see how it would. I cannot see how it would be of any advantage whatever.

Q. Do you think that such a system would have the effect of leading fishermen to observe the law and report violations that they happened to notice?—A. I do not think so.

Q. Have the regulations for the protection of the lobster ever been observed in this district?—A. No, because there has always been the restriction in regard to taking berried lobsters. And I do not think that the size limit has ever been observed. I should say the regulations have never been observed.

Q. Are the existing penalties sufficient to deter the packers from violating the regulations if they were enforced?—A. I hardly know what the existing penalties are.

Q. There is a fine for taking berried lobsters and packing undersized ones. Of course the regulations are not enforced?—A. They are not enforced. Any fines they are in the habit of enforcing—that they have enforced so far—are not sufficient to deter the canners from violating the regulations.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry, and should the issuance of further licenses be discouraged?—A. Well, that is rather a difficult question to answer. I should say there were factories enough on the coast. At the same time if a man or a concern wants to engage in the lobster business I suppose there is no reason why he should not have the right to as well as others. For the good of the industry itself I should say that there were quite enough canneries on the coast now.

Q. On the other hand is there any feasible reason why a man who can show that he is prepared to go into the industry and carry it on efficiently on a substantial basis should not get a license to can?—A. I do not see that there is.

Q. Should the number of boats fished by a cannery be limited, and would you limit the amount of gear fished by each boat?—A. I do not think they should. That is determined entirely by local conditions. For instance we have one factory on this shore where we operate 8 boats, and another where we have 17. That is entirely due to local conditions. The fishermen are located at one place and they are not in the other. That would be a pretty hard matter to regulate I should think.

Q. Do you not think the fact of not limiting the amount of gear fished by a cannery puts it in the power of the heavier operator to crowd out the smaller one?—A. It has not worked out so in the past.

Q. The small operators in some places have complained that they are crowded out?—A. I don't think that has been the case on this coast.

Q. The Lobster Commission of 1898, recommended that temporary reserves should be established in various sections along the coast where fishing should not be allowed for one or two years, the location of such reserves to be changed from time to time. That is instead of a general closing down there should be a closing down by sections. What do you think of that idea?—A. It would work quite a hardship on the fishermen in those sections.

Q. Is there any other occupation or industry that the fishermen could take up if the issuance of licenses were stopped for a number of years; what would become of the fishermen in that case?—A. The great majority of them would leave the country. They would probably all go to the United States.

Q. At what time during the present open season is the lobster fishery most actively prosecuted?—A. Do you mean by that when we do get the greatest amount of lobsters? From the 15th of July until the end of the season.

Q. Is the present regulation in regard to the close season satisfactory?—A. I think so generally. There are always some who want a little different from what they have.

Q. Do you think a reduction in the length of the present open season would be of advantage and would tend to increase the supply of lobsters and perpetuate the industry?—A. Of course any lengthening of the close season would tend to increase

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the supply of lobsters, but I do not think that the open season could be shortened in this district, or in any of the districts perhaps, and let the factories run profitably or allow the fishermen to make a profit.

Q. What would you say as to a universal close season for the whole Atlantic Coast from July 15th to January 1st?—A. I am hardly in a position to answer that question because I am not familiar with the Atlantic Coast fishery.

Q. What would you say to have such a season from July 15th to January 1st, north of Cape Canso, and from July 1st to January 1st, west and south of Cape Canso, with a large size limit in the latter division than in the former. You see Professor Prince recommended there should be two great divisions and that Canso should be the dividing point. In fixing a season should it not be done in the interest of the lobster, than in the interest of the canner in order to protect his gear?—A. The result of fixing the 25th May for commencing fishing has been to give us no spring fishing whatever. Our fishermen used to always get the advantage of the month of May. They usually began operations about the 10th of May, that would be the average opening time, and they always counted about three or four weeks good fishing. Then they expected four or five weeks doing very little, and at the latter end of the season to pick up a few more. The present season does us out of the spring fishing entirely; we do very little until after the lobster has shed.

Q. Was this season changed at the request of the people on this shore or at the request of the Island people?—A. I think the request must have come from the Island. It was the result of the sittings of the Commission of 1898 that you spoke of. That Commission held a meeting at Port Elgin, or Moncton, and quite a number of the canners and fishermen attended. As I understand from the report I obtained of the proceedings, about every man who attended the meeting had a little different idea as to what the season should be, and I think they practically ignored the result of the sittings here.

Q. What do you think of making simply that one grand division?—A. With those seasons and those limits which Professor Prince speaks of? With all due respect to Professor Prince I think it would close every factory in the province.

Q. Then you are of the opinion that the present regulation regarding the close season is satisfactory for this district?—A. I think so, with the exception of the dividing line here which cuts our district right in two you might say.

Q. You would allow the dividing line to go to the other end of the province?—A. Either there or run it through the middle of Baie Verte and off the Nova Scotia shore.

Q. It has been asked that fall fishing be allowed in some districts owing to the delay in commencing the present fishing season caused by ice remaining on the coast in the spring of the year, what would you say to that?—A. I don't think it would be advisable. There is one I think in the Magdalen Islands.

Q. Are you in favour of limiting the issue of licenses to pack, or would you favour issuing a license to every one qualified to do so?—A. I do not see any reason why a man who could demonstrate his ability to build a properly equipped factory and carry it on properly should not be allowed to pack.

Q. Would it be possible to establish a standard of fitness for a cannery?—A. It seems to me so.

Q. Do you think that the product of the canneries should be subject to inspection?—A. As to quality do you mean?

Q. Yes, as to quality. The tendency of the day is to closely inspect all food products?—A. I understand you have no pure food law in Canada.

Q. I do not know that we have absolutely?—A. I cannot see any objection to it, I think it would be a good thing. I think there should be government inspection of all products.

Q. Do you think the present staff of fishery officers are competent to perform that service?—A. I don't know why they should not be.

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Q. Would you refuse a canning license to a firm in which only aliens were interested or mainly interested?—A. You can only expect me to answer that in one way: I cannot see any reason why.

Q. They were the pioneers of the industry and have only their capital invested?—A. They employ native fishermen and native help entirely. I don't know why the American money is not just as good as the Canadian.

Q. What would you think of the policy of encouraging fishermen to co-operate in the canning of lobsters?—A. Well, naturally I don't think very much of that.

Q. Are there any co-operative canneries in this neighbourhood?—A. No.

Q. Are you aware of any complaints made by fishermen that the price paid to them by the canners is not satisfactory?—A. You get lots of those.

Q. Is it the case that fishermen have lost their catch by the canners refusing to accept them?—A. What do you mean? The day's catch?

Q. Yes, if you like?—A. I have known the canneries in this district refuse to take the catches for a certain day perhaps..

Q. When there was a glut?—A. Yes. That has never been the case with us.

Q. It has been said that in some localities the canners have combined and have refused to accept the catch of lobsters from the fishermen with a view of coercing them?—A. I have never known of such action. The only time I have known of that action was when the canneries were glutted and unable to handle that day's catch; they had not a sufficient crew or equipment to take care of the lobsters they might get.

Q. It has been alleged that in some cases fishermen have suffered injury by the failure of the canners to operate their canneries although a sufficient supply of lobsters was available?—A. The only time I have known that to be so was at the end of the open season when some of our fishermen would want us to run for a few days longer in order to make a few dollars.

Q. What market would the fishermen have in this district for their lobsters if the canneries were closed?—A. I do not know that they would have any.

Q. From your experience can you say whether the hatcheries have helped to maintain the supply of lobsters or not?—A. From what I know of the Pictou hatchery I should think it has. I think also that possibly this hatchery at Shemogue has helped to some extent.

Q. Can you give me any instance showing the good effects of the hatcheries?—A. I know of a property down near Pictou that could have been bought some ten to fifteen years ago for less than \$10,000. Three years ago that property was sold for \$50,000.

Q. You think that was due——?A. Due to the increase in the supply of lobsters.

Q. Have you anything to suggest which in your opinion would be calculated to further improve the efficacy of the hatcheries?—A. I think that a bi-monthly inspection by a departmental officer might help.

Q. The policy contemplated by the department in its regulations is the taking of large lobsters and permitting the small ones to escape. Is there any kind of trap that would be better adapted for this purpose than the traps now in use?—A. You could build a trap that would let all the small lobsters escape, but the factories would not be able to operate.

Q. The creation of a board to advise the department in regard to the administration of the fisheries has been suggested; would you approve of the idea?—A. I see no objection to it provided the members of that board were competent men and familiar with the business. I do not see why it would not have a beneficial effect.

Q. Is there any other matter connected with the inquiry upon which you would like to express an opinion?—A. No, I think you have covered the ground pretty thoroughly.

Witness discharged.

Commission adjourned.

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CAPE TORMENTINE, July, 29, 1909.

JOHN REID, fisherman, Cape Tormentine, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. I think about nineteen years.

Q. On what part of the coast have you carried on your fishing?—A. At Cape Spear and then here at Cape Tormentine.

Q. Did you ever pack lobsters on your own account?—A. Yes, sir.

Q. You did run a cannery?—A. Yes.

Q. Do you still do so?—A. No.

Q. Is there a fishermen's union in this locality?—A. No, there is not.

Q. Are you still engaged in fishing?—A. Yes, I fish, find the gear and own the boat and sell my fish.

Q. To whom do you sell the fish?—A. The Portland Packing Company.

Q. On what terms and conditions do you sell your fish, by the hundred weight?—A. So much a hundred live weight delivered at the factory.

Q. How far off shore do you fish and in what depth of water?—A. This summer we have been fishing about six miles from the shore in from eleven to thirteen fathoms.

Q. Do you fish all season on the same ground or do you move your gear in?—A. We move our gear in.

Q. You follow the fish?—A. Yes, sir.

Q. On what bottom do you fish?—A. Say rock in the spring and sand at this season.

Q. Do you find any difference in the size of the lobsters caught in deep water as compared with the size of these taken in shoal water?—A. Not always. A man might have gear about a week ago right in near the wharf in shallow water and he might have got very large fish; they were fully as large as those outside.

Q. Are the lobsters as large now as when you first began to fish?—A. They will be I think right off here, abreast of here. I think they are as large.

Q. What amount of gear do you fish?—A. 400 traps.

Q. Is that more than you used to use when you began fishing?—A. Yes.

Q. You have increased the quantity of gear you fish; were you obliged to do that to keep up the average of your catch?—A. Yes.

Q. Has the number of traps increased very considerably in this neighbourhood?—A. Since I began fishing? Yes, sir, I think it has doubled probably.

Q. Is there any difference in the type of trap you fish now compared to what you used to fish?—A. We are fishing what we call the wheeler trap. It is considered a more killing affair than the other.

Q. What is the particular merit of the wheeler trap?—A. I can scarcely tell you unless that the bait is always there. When the lobster goes in where the bait is he does not stay there long but goes through to the trap end, and that leaves the bait always clear and another fish is more likely to get in.

Q. And when a lobster goes in he is not so likely to get out?—A. Not so likely to get out. It is a better holding trap.

Q. Do the majority of fishermen own the boats here or are they fished by hired men?—A. I think the majority own their own gear now.

Q. It has been suggested that for the better control of the lobster fishery the fishermen should be compelled to register and take out a license at a nominal fee with a

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view to making them more careful in their observance of the law; do you think it would have any such effect?—A. I think the main thing lies with the canner. I doubt if it would have much effect upon the fishermen.

Q. How does the price paid for lobsters now compare with that paid when you first began to fish?—A. I think the best offer I could get from the company at that time was about 95 cents a hundred and find my own gear. This season I got \$3. This was a low season, lower than it was last.

Q. What was the price last year?—A. \$3.75 and \$4 last year.

Q. What is the reason for the drop in price?—A. Well I guess probably the hard times in the States had the most to do with it.

Q. The low market?—A. Yes. Times were so hard.

Q. Is there any competition in the matter or are you forced to accept a certain price for lobsters?—A. Well, pretty nearly so here, it comes pretty near that.

Q. Do you think there is any arrangement among the leading packers to keep the price down and not go beyond a certain figure?—A. I am inclined to think there is. I am under oath, I am inclined to think there is such an arrangement.

Q. Do you think the fishermen get a fair share of the profit out of the industry?—A. That is a little difficult for me to say. Take the company's manager here. He claims that the price of canned lobsters is very low. He claims that they pay the fishermen all they are possibly able to pay. It is hard for me to tell. I don't know just what canned lobsters are worth on the market just now.

Q. From having been in the canning business yourself I should have thought you would be in a better position to judge.—A. Even then we did not ship away to the outside market. We sold our pack to the company, so we don't know.

Q. What is the practice here with regard to small and berried lobsters; I suppose the berried lobsters during the time the hatchery is running are all brought ashore and stripped of spawn?—A. They are on a certain part of the coast, I don't know that the practices reaches all the way round.

Q. Does the hatchery boat not come this far?—A. Not beyond Cape Jourmain light.

Q. Did it used to go farther?—A. No, but we understood we were to have a boat to reach up in the bay but it did not come.

Q. What is the practice with regard to undersized lobsters? You know the legal limit is 8 inches but as far as we have gone the practice seems to be for the fishermen to take to the canneries everything that comes into the traps?—A. Anything that will pay.

Q. What is the space left between the slats of the traps?—A. I usually leave about an inch and a quarter. Some nail closer but I don't think it is any use to do so.

Q. And what do you do with the small and berried lobsters?—A. We take anything we get.

Q. And bring everything to the factory?—A. Yes.

Q. Of course you are fishing by weight and naturally want to get all you can out of it. Do the canners ever make any objection to receiving illegal lobsters or do they take all that are brought in?—A. I have never heard of any kick yet.

Q. You expect the canner to take all the lobsters you bring to him regardless of the regulations?—A. Yes, sir, they take everything we bring.

Q. Do you think it is in the interest of the continuance of the lobster industry that such a condition of things should exist?—A. No.

Q. Is the practice of stripping the berried lobsters at sea followed by the fishermen here?—A. I don't know whether it is the general practice or not but we have done it.

Q. What would you say is the spawning season of the lobster in this district?—A. June is the principal month.

Q. Could you give me any idea as to the smallest sized female lobster you ever saw with berries attached?—A. About 5 inches.

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Q. Have you seen them as small as that?—A. I think so. I don't think it was more than $5\frac{1}{2}$ inches. I have never measured them but I have seen them very small.

Q. What is the average size of the berried lobster?—A. I would say $8\frac{1}{2}$ or 9 inches, 9 perhaps.

Q. Do you find more spawn lobsters inshore than you do off shore?—A. I don't think so.

Q. Do you consider there is any time when the lobster is not fit for food?—A. I think only while it is in the soft state. As soon as they are firm enough to move about good and strong I think they are all right then.

Q. What proportion of your total catch of lobsters would bear berries?—A. This would be June you are speaking of.

Q. Throughout the season what would the proportion be?—A. I think 20 per cent anyway.

Q. Is the percentage greater at any part of the season than at another?—A. Yes, in June there are more berried lobsters.

Q. Do you recognize when you are taking the lobsters that the season for spawning is past, can you tell?—A. Yes, it is over now.

Q. Do you get many lobsters that spawn now?—A. Practically none at this season.

Q. I suppose any lobster you found with spawn now would not be likely to spawn this year?—A. That is my opinion and it always has been since I have been observing them. Later in the fall we get a number of berried fish and I consider they carry the eggs till next year and they will be hatched in May probably or early in the season.

Q. Do you think the lobster hatches more than once a year?—A. No, sir, I don't think so. I think they hatch every year.

Q. Then as far as you are concerned you would say that the regulation for the protection of the berried lobster is not observed?—A. I don't think it is observed properly along here.

Q. Would you suggest any change in the regulations?—A. Just for our locality here I think a change in the season would benefit us.

Q. What change would you suggest?—A. To begin on the 20th of this month and fish until the 1st of October. That would protect the berried lobsters, they would all have spawned by that time.

Q. I may tell you that is my own idea of the conditions but I find very few people here who agree with me. Fishermen and canners have the same to say, that the month of September is a rough month to fish.—A. I have seen Septembers that I could work from morning till night the same as another month. We have some very fine Septembers, in fact we usually have good weather in September.

Q. Do you think the lobsters are in as good condition in the fall as in the spring?—A. Yes, sir, from the 1st September right through the month they are fully as good. Perhaps they won't average as high to the canner but they make very pretty goods, they are bright.

Q. You think they are as full of meat as in the spring?—A. Scarcely as full.

Q. Will it take a larger percentage of lobsters to fill the same amount of cans?—A. Yes.

Q. If the canner refused to accept berried or undersized lobsters would it not have the effect of inducing the fishermen to return them to the water?—A. They would simply have to do it, if the canners turned them down.

Q. Would they be able to continue fishing?—A. I don't know about the undersized, but as regards the berried lobsters we would not lose any. Of course, if I let berried lobsters go, some one else will catch them. They will be caught with the present season.

Q. How would it be under the season as you propose it?—A. We would have no berried lobsters at all.

Q. Is it the practice of fishermen to avoid dealing with a canner who is known

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to be careful about not accepting berried or undersized lobsters?—A. We have had no experience of that kind.

Q. Would it be possible to get the fishermen to return all the berried lobsters they take to the water?—A. Yes, I think so.

Q. How would you go to work to get them to do it?—A. Have the canner refuse to accept the berried lobsters.

Q. Do you think it would be possible for the government to buy from the fishermen all the berried lobsters they take in their traps and place those lobsters in pounds?—A. Yes, that would work all right, but this coast is pretty bleak for that kind of thing. I hardly know a place along here where it could be done.

Q. Are you aware that any fisherman has lost his catch of lobsters through the canner declining to accept them?—A. No, sir.

Q. The Lobster Commission of 1898 recommended the establishment of temporary reserves at various points along the coast wherein fishing should not be allowed for a term of years, the location of such reserves to be changed from time to time?—A. I think that would be a benefit if possible.

Q. It has been proposed by other people that the size limit should be done away with altogether, and to make up for it we should fish a shorter season. Do you think that is possible?—A. No. We could not possibly get along.

Q. Is the present regulation restricting the number of canning licenses satisfactory to the fishermen generally?—A. I do not think it is satisfactory. For my own part I have a factory on the farm I occupy now and there is no license for it. I would like to obtain one and I have been thinking of it.

Q. How long has the factory in question been closed?—A. Quite a while before I bought the place.

Q. Do you think that if a man shows his ability to properly conduct a canning business there is any good reason why we should refuse him a license and give it to another man?—A. I cannot see it at all. If a man is allowed to catch fish from the water he should be allowed to handle them if it is to better advantage to do so.

Q. It would not do to give every man a license regardless of whether he possessed the necessary qualifications or not. If that were done I am afraid there would be a good deal of bad lobsters put on the market. Would it be possible to establish any standard of fitness in connection with canning?—A. Yes, I think so.

Q. What market would the fishermen in this district have for their lobsters if the canneries were closed?—A. I don't think they would have any to afford any profit to them. Only a small percentage of the lobsters would be fit for a live lobster market.

Q. Do the facilities exist here for the exportation of live lobsters? You want rapid transit and cold storage and that sort of thing—A. I think lobsters could be properly placed on the market alive from here; I think they could be shipped.

Q. Do you think there is anything in the nature of the lobster taken in these waters which renders him less fit for the live lobster trade than the lobster taken on the Atlantic coast? Is the lobster from these waters as hardy as the others?—A. I think probably he is, although some people have said they think not, that being accustomed to shoal and warm water he is not as tough.

Q. If the present size limit were strictly enforced what effect do you think it would have upon the canner?—A. I think it would put him out of business.

Q. And would an increase in the number of canneries result in an increased pack of undersized lobsters as conditions are?—A. No, sir.

Q. Why would it not?—A. There would not be any more to engage in the fishing. A man might run the same number of traps, but he might choose to pack his fish. There are various reasons for that. A man might want offal from the boat. Say I am running a boat or two, I might want offal for the farm. That is one reason why I should like to run a shop.

Q. What becomes of the offal here?—A. It is all put on the land.

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Q. Is it sold by the canner?—A. It is usually given for the rental of the land the factory is on. In a good many cases the canner does not own the land and he gives the offal for the rental.

Q. Do you think it would be in the interest of the lobster fishery, as a whole, to close down the canneries for a number of years so as to allow the fishery to recuperate?—A. I do not think it would be of benefit. I think it would be a number of years before the industry would get back into a state that you might look for those conditions.

Q. Do you think the number of boats run by a cannery should be limited?—A. No.

Q. What is the object of limiting the number of canneries if you do not limit the amount of gear a canner may fish?—A. I believe there is as much justice in the one as the other, and yet if a man sees fit to go out fishing it does not seem fair to say he should not; in other words to lay down the rule that you should fish and I should not.

Q. It does not follow, I should think, that you are going to limit absolutely the number of fishermen if you limit the amount of gear to be fished by each individual canner. Some would fish more and others possibly would not fish as much, the thing would equalize itself in my opinion. But there is a complaint made by small operators and fishermen that large operators are not restricted and are able to put out such an amount of gear as to crowd the smaller fellows out of the way; is there anything in that do you think?—A. I do not think there is anything of that kind along this coast at this time because, as I said before, the majority of the fishermen own their own gear; they are residents here and own their own gear.

Q. Which branch of the lobster industry do you think is the more remunerative to the fisherman and the best calculated to maintain the supply, the live lobster trade or the canning?—A. The canning here.

Q. Who fixes the price paid for lobsters?—A. The canner.

Q. Are you aware of any combination on the part of the packers to keep down the price?—A. I could not say positively that there is, I am inclined to think so.

Q. You think the fishermen would make more money for themselves if they were allowed to can?—A. I think they would in some cases. In my own case I think I would.

Q. Would you encourage the plan of issuing a license to one of a group of fishermen who combine together on the co-operative system for the purpose of canning lobsters and agree to share the profits and losses alike?—A. Yes, sir, I should think that would be a very good idea.

Q. Has the co-operative plan ever been tried in this neighbourhood?—A. No, sir, it has never been tried here. There is one at Cape Bald, I believe.

Q. Is it within your experience that lobster hatcheries have helped to maintain the supply?—A. I cannot say positively, any more than that I have heard the fishermen consider the Pictou hatchery has benefited them a great deal over there.

Q. Would you favour an increase in the number of hatcheries?—A. Either that or a change in the season. We have got to protect the berried lobsters in some way.

Q. And you think that is best done by a change in the season?—A. That is my idea.

Q. Is that the idea generally among the fishermen in this neighbourhood, have you ever spoken to other fishermen here about it?—A. I spoke to some yesterday. Those I spoke to were of the same opinion.

Q. Would you favour any change in the size limit in this district?—A. No, sir. I don't believe the size limit has so much to do with it as the protection of the berried lobsters.

Q. Has there been any noticeable decline in the average size of the lobsters caught in this district during the last ten years?—A. No, sir, not to my knowledge here.

Q. Has there been a decrease in the size limit to your knowledge?—A. I think so. I think they are smaller than they were some years ago.

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Q. Do you think it is due to persistent overfishing that the average size of the lobster has been reduced?—A. Oh, yes, there is no doubt about that.

Q. Do you think there is any good reason for having different seasons in adjoining sections of the shore?—A. Yes.

Q. Is it your opinion that the lobsters come in from both ends of the Straits and that this is their meeting place?—A. Yes.

Q. Do you think that the lobsters come in shore to spawn?—A. Do you mean from the Straits in or outside fishing?

Q. From the Straits in?—A. No, sir, I think they spawn as much in the middle of the Straits as along the flats.

Q. Do you think they come from the ends of the Straits?—A. Yes, I think that with the inrush of lobsters we have in the spring, it is the spawning time. They come in to spawn because we find so many more females than we do males.

Q. Do you think it is in the interest of the continuance of the lobster industry that we should continue to take immature lobsters?—A. I think we will have to take them in order to carry on the canneries. It is either that or close the canneries.

Q. The statement has been made authoritatively that the strict enforcement of the 8-inch size limit, together with the assistance of hatcheries and pounds, would preserve the lobster industry. Do you concur in that statement?—A. Yes, I think probably it would.

Q. Could a size limit of 10½ inches be maintained in this district?—A. No.

Q. Is it within your experience that a larger number of lobsters would be required in the fall than in the months of May and June to fill a one pound can?—A. Yes, sir, slightly larger.

Q. Do you think that lobster fishing should be maintained farther out from shore, that a limit should be placed upon the depth of water fished in?—A. No, sir.

Q. You do not fish in shoal water?—A. No, sir.

Q. What is the best period of your season?—A. From the 25th of July to the end. Perhaps I might say from the 20th, that is including the district I was just speaking of, our own place right here.

Q. As I understand you would prefer a season beginning, say on the 15th July, and continuing until the end of September?—A. Yes.

Q. Your reason for preferring such a season is that you would absolutely protect the berried lobsters?—A. Yes.

Q. And you think that should be the great aim in the perpetuation of the fishery?—A. It must be. If you kill the goose as she is about to lay you will have no goslings.

Q. Do you think a reduction in the length of the present season would be of any advantage?—A. No, sir.

Q. How about making the season shorter and doing away with the size limit?—A. I do not think it is possible to run the cannery unless we take lobsters pretty well down to what we are catching now. There should be a change in the size limit that would be of benefit but it would not do to stand by an 8-inch limit.

Q. Some people think the size limit ought to be reduced to 7 inches?—A. That would be all right. That I believe would be a benefit but we could not stand a size limit of 8 inches.

Q. Could you stand a size limit of 7 inches?—A. I believe we could. My opinion is this: When we take everything, we take some that are no good to the packer. It is a shame to take them too small. We might have a fair size limit but it could not be 8 inches.

Q. Do you think there would be any greater chance of enforcing the 7-inch size limit than one of 8?—A. I believe it would lie with the cannery, if the inspectors thought the cannery would live up to it. The way it has been in the past it has not been possible to enforce the size limit.

Q. Is there any other matter you would like to express an opinion upon?—A. No, sir, I don't think there is. I think you have gone over the ground pretty well. About

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the only thing I can see that is going to benefit us very much is to change the season. This is a natural spawning ground.

Q. You are of the opinion that it would be possible to maintain the fishing with a change of season?—A. Yes, sir, I think it would be.

Q. The gear would not suffer any more loss, you think, fishing later in the season than at present? Would not your gear rot during the month of August?—A. The traps might worm up some, but I think we would get advantage in the way of more fish that would offset that loss even if there was a little more.

Q. That is a secondary consideration, if we could secure the observance of the laws?—A. Yes. While the hatchery is no doubt a benefit I do not think it could be made to meet the situation as thoroughly as allowing the lobsters to spawn in a natural place.

Q. Is there much illegal fishing done here to your knowledge?—A. Not so much in recent years. We used to take a hand at it ourselves but we got this sharp fellow here (pointing to fishery officer) who put a stop to it. As to the character of the fishing we have noticed in the spring that the majority of the lobsters are females. That makes it look to us as though they came in here to spawn. I think perhaps the lobsters have less enemies here than they have outside.

Q. They require a lot of kelp and seaweed?—A. They get that here. We sometimes bring up very small lobsters on the kelp.

Witness discharged.

FRED MAGEE, canner, Port Elgin, called and sworn:—

By the Commissioner:

Q. Are you a native of these parts?—A. Yes, I am a native of New Brunswick.

Q. How long have you been engaged in lobster packing?—A. About five years.

Q. Had you any connection with the industry before that?—A. I was a buyer.

Q. How many canneries do you control?—A. I control nine canneries. We operate five and we smack from the others. We only have the five licenses but we control nine canneries.

Q. Where are those canneries situated?—A. Three in the County of Westmoreland and six on Pictou Island.

Q. How many boats do you employ?—A. About 110.

Q. Owned by the canneries?—A. Yes.

Q. That would represent how many men afloat?—A. That would represent 175 I suppose. Some fishermen have a helper and others have not.

Q. How many men and girls are there employed in the factories?—A. Collectively do you mean? They vary, you know.

Q. Taking one season with another?—A. 150 to 200. As the catch increases we add help, as it decreases we discharge them.

Q. Sometimes you would have more and sometimes less?—A. Sometimes they get away down very fine. Sometimes the number would be 100.

Q. What is the total capacity of your canneries?—A. They have never been taxed, it is a difficult question to answer.

Q. What could you handle?—A. I have no idea. We could handle I suppose 12,000 or 15,000 cases.

Q. What was your actual pack for, say last year?—A. Last year our actual pack was 5,300 cases.

Q. How did that compare with other preceding years?—A. That was a little ahead of other years.

Q. Are you fishing a much larger quantity of gear now than when you began to operate?—A. I increased the second year I operated. Each boat has kept up to that standard ever since.

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Q. Is it your opinion that the supply of lobsters is being kept up by packing lobsters that formerly would have been rejected?—A. I cannot see any difference in packing short lobsters.

Q. Do you own most of the boats that are fishing for you, and the gear?—A. About 70 per cent.

Q. And the men fishing those boats are paid by the month?—A. By the hundred weight.

Q. Do you not employ any fishermen by the month?—A. No, no wages men.

Q. They are all shares men?—A. Yes.

Q. And from the balance of the fishermen you buy their catch?—A. Buy their catch by the hundred.

Q. How does the price paid to the fishermen to-day compare with that paid formerly?—A. Well, the price paid this year is about 25 per cent lower than in 1908, about 15 per cent lower than in 1907, about 7 per cent lower than in 1906 and on about a par I think with 1905.

Q. So that in preceding years you greatly raised your price?—A. That is on account of the large catch last year. The market went down on account of the high price and the consumption was curtailed.

Q. How are the regulations observed with regard to taking undersigned and berried lobsters?—A. Where a hatchery is in operation the berried lobsters are looked after. Where there is no hatchery in operation the berried lobsters are taken by the canners and packed.

Q. It is your opinion that it would be possible for the canner to continue if the size limit were rigidly maintained at eight inches and the berried lobsters protected?—A. The canners could continue if the berried lobsters were protected, but they could not continue with a rigid enforcement of the size limit in this district. I believe they could on the southern shore of Nova Scotia.

Q. At what size do you consider the lobster to be fully matured?—A. What do you mean by that, egg bearing, reproducing.

Q. Yes, the age of reproduction?—A. A very small percentage will reproduce at eight inches. At nine there is quite a percentage. At ten inches, 5 per cent I think reproduces. Professor Prince is my authority on that point.

Q. Could you give us any idea of the average size of the lobsters taken along this shore; how many lobsters does it take to fill a pound can?—A. That is one of Mr. Loggie's questions, he buys by count. We buy by the hundred pounds and we never keep any record.

Q. How many lobsters does it take to make a hundred pounds?—A. I might reply to that by stating the average number of pounds it takes to make 48 pounds of meat—that is the way we figure our report—is about 230 on this coast and about 200 at Pictou.

Q. You have no record as to how many individual lobsters that means?—A. No, we do not keep any records of that description at all, we buy by the hundred pounds.

Q. Have you come to any conclusion as to the spawning habits of lobsters? There seems to be a great difference of opinion, even among scientists, as to whether lobsters spawn once a year, twice a year or every two years. Do you think they spawn every year?—A. It is my opinion that they spawn every year.

Q. Are the female lobsters found with berries on all through the season?—A. Until about the 20th July. After that we do not see many berried lobsters, very few.

Q. Is it your opinion that when lobsters are found late in the season with berries on they will not hatch out until the following year?—A. I believe some authorities claim lobsters hatch in the fall, in the months of August and September.

Q. Have you ever noticed any evidence that would justify you in coming to that conclusion?—A. No.

Q. The general impression is that if the female lobster passes the present season without hatching out those eggs she will wait until early next season. You would

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hardly expect the eggs to be hatched out when the water was getting colder?—A. Do you not think the water is getting warmer in August?

Q. I suppose it is up to the beginning of September?—A. My idea would be that the female lobsters with berries on late in the season would hatch in the fall. Probably I am mistaken, I cannot say for certain anything in connection with that.

Q. Is there any part of the season when the lobster is not fit for food purposes?—A. At the time they are throwing off the old shell. They are not even taken by the fishermen then, they are left in the trap.

Q. Does the new shell harden up very quickly?—A. Very quickly.

Q. What is the percentage of the lobsters taken in your neighbourhood that bear eggs?—A. Do you mean with eggs that are in evidence when they are caught?

Q. Yes.—A. About 3 per cent I would think.

Q. And at what period of the season are berried lobsters most numerous?—A. May and June as far as we can see. We have no winter season therefore I do not know how they are in winter.

Q. Is the custom of stripping or washing off the eggs from the berried lobsters practised by the fishermen in this neighbourhood?—A. No, I do not think it is.

Q. Do you think the fishermen are becoming more conscious of the necessity for protecting the berried lobsters?—A. I certainly do.

Q. Do you think that the decrease in the fishery, which certainly has occurred since its inception, has reached its limit, or is it still going on? A great many are of the opinion that during the last four or five years we have reached the turning point in the condition of the fishery or a standstill at all events?—A. I believe we have. I think the pack shows that to be the case. There has been a certain increase this last four or five years.

Q. You do not think that increase in the pack has been caused by an increased amount of gear?—A. No, I hardly think so. The licenses have been curtailed.

Q. If the canners refused to accept berried lobsters would it have the effect of inducing the fishermen to return them to the waters?—A. Some fishermen would return them to the water, but they would be very few.

Q. Would it be possible to get the fishermen to undertake to return to the water all berried lobsters?—A. If they were under a severe penalty for not doing so I think it would.

Q. Do you think the licensing of the fishermen, or the boats, would have any good effect in that direction?—A. That might tend to assist in protecting the lobster.

Q. Do the canners make any scruple about accepting berried lobsters?—A. None whatever in this district.

Q. If the canners absolutely refused to accept berried lobsters from the fishermen what would happen?—A. About 30 per cent of the fishermen would brush them off; the balance, I think, would observe the law.

Q. It has been suggested that one method of protection would be for the government to buy from the fishermen at a certain advance on the price paid by the canners all the berried lobsters taken in their traps, such lobsters to be liberated at once; would there be anything in that suggestion?—A. You would be buying the same lobsters a dozen times a year.

Q. What would you say if such lobsters were placed in pounds and retained there until the close of the season when they could be set at liberty?—A. Yes, that would be the better method.

Q. Do you think the facilities exist here for establishing pounds?—A. I cannot see any place where we could have a pound in this district.

Q. What would you think of the proposition requiring the canners to pay an increased fee, instead of the 2 cents a case as at present, and in that way realizing a fund for the purchase of the seed lobsters from the fishermen? The idea, of course, is that the fishery should pay for its own protection and that it should not be a tax

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upon the general community?—A. I have not looked into the argument in connection with that question, and I hardly know how to answer it.

Q. A number of large packers, like Mr. Tidmarsh and others, are in favour of an increased fee. The present fee, of course, is a bagatelle?—A. While there is a surplus in our country I should think the government would have money enough for such a purpose. However, it would be a good move. I am not speaking against it, but I would like to look into the matter a little further before giving a definite answer.

Q. What proportion of the lobsters taken in the traps are below the legal size limit?—A. I have no statistics to go by; there must be 50 per cent.

Q. I suppose the percentage varies in different localities?—A. Yes, I am speaking of this locality entirely.

Q. If the present size limit were strictly enforced what effect would it have upon the canners?—A. It would put them out of business.

Q. Would an increase in the number of canneries result in an increased pack of undersized lobsters?—A. It would depend altogether on where they got their fishermen. If they took their fishermen from those factories that were licensed there might be the same number of fishermen employed in fishing and the same amount of lobsters taken, but the factories would not get the catch they do.

Q. Would you favour any increase or decrease in the present size limit?—A. I would favour abolishing the size limit and regulating the distance between the laths of the traps by government inspection, regulating the traps before they are put in the water in the spring so that by having a certain space between the laths certain sized lobsters could get out.

Q. Has there been any noticeable decline in the average size of the lobsters caught in your district within the last 10 or 30 years?—A. I cannot speak from experience, but I believe there has.

Q. Have you any idea when lobster canning was first introduced in this neighbourhood?—A. You can get exact information on that point, but I cannot furnish it to you.

Q. When lobster canning was first introduced were not the lobsters about the coast everywhere about the same size?—A. I cannot answer that either.

Q. To what cause do you attribute the decline in the size of the lobsters?—A. I think it must be overfishing.

Q. An expert has suggested that a minimum size limit for lobsters of 9 inches be established in the waters north of Cape Canso, and of 10 or 10½ inches in the waters south and west of that point—that is to say, having two grand divisions only; what do you think of it?—A. A size limit of 9 inches would practically put us all out of business. The size limit on the Straits is not observed, and if it were, as I said before, we could not do business. Other localities I cannot speak about.

Q. Is there any reason for having a smaller size limit in one district than in another?—A. Yes, I think so.

Q. Is it in the interest of the lobster fishery that lobsters should be taken before they have reached the age at which reproduction takes place?—A. Having in view our catch for the last five years I cannot see any argument against it.

Q. It has been estimated that it takes nine 7-inch lobsters, which lobsters have never been afforded the opportunity of reproduction, to fill a one pound can. If that is the case what effect must the continued fishing of these immature lobsters have upon the lobster industry?—A. If you protect the berried lobsters as they are caught in the spring the lobster industry will be kept indefinitely in my opinion.

Q. Would you favour reducing the size limit to 7 inches, as has been suggested?—A. I would favour abolishing it entirely.

Q. And shortening the season?—A. Not shortening the season but regulating the traps.

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Q. In that case more strictly enforcing the berried lobster regulation?—A. Certainly.

Q. Could a size limit of $10\frac{1}{2}$ inches be maintained in this district without detriment to the lobster industry?—A. No.

Q. Would you think it right, where the live lobster industry could be carried on, to fix the size limit at 10 or $10\frac{1}{2}$ inches? That is to say where that industry could be carried on should it be encouraged?—A. I am not conversant with the conditions of that industry and cannot give a satisfactory reply to the question. I would have to take a broad view of the matter from the standpoint of the canners and the fishermen.

Q. The statement has been made authoritatively that a strict enforcement of the 8-inch size limit, together with the assistance of hatcheries and pounds, would perpetuate the lobster industry?—A. Not in this district.

Q. It has been stated by some one that 30 per cent more lobsters in number are required in the fall than in the months of May and June to fill a one pound can. Is that true?—A. Yes, I believe there is something in that. I should think 30 per cent would be a fair estimate.

Q. Is it the case that canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen?—A. Undoubtedly.

Q. Have the regulations for the protection of the lobster ever been observed in this district?—A. For the protection of the lobster after the season or when it is undersized?

Q. Generally with regard to size and season?—A. After season they have been protected but as regards size limit they have not been.

Q. Nor with regard to berried lobsters?—A. Other than the establishment of a hatchery, that has protected them to a certain extent.

Q. Are the existing penalties sufficient to deter the packer from violating the regulations if enforced?—A. They are not.

Q. In the event of persistent violation of the regulations would the preservation of the industry call for the cancellation of the offender's license to can?—A. I hardly think so.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further licenses be discouraged?—A. I think it should. I mean that to-day there are certain men of capital who are able to employ a certain number of fishermen and who are able to put on the market a good product. Heretofore small packers have ruined the market for lobsters, ruined the conditions of sale, and we have had a very great deal of bad lobster in the market which tends to lower the price; but within recent years conditions are much better. I believe this is on account of curtailing the licenses, and the fact that more interest is taken in the quality of the product by packers.

Q. We find that a gentleman is sent out by some large buyers and financiers in Halifax who makes a sort of inspection at the canneries in this neighbourhood?—A. I believe that system is a good one.

Q. That is not a national system of inspection, that is done by the buyers in their own interest?—A. Yes, to protect their own interest. I believe that has worked out good.

Q. Would you, in the interest of the lobster industry, favour a general closing down for some years?—A. Basing my opinion on the catch of the last five or six years I would not.

Q. The Lobster Commission of 1898 recommended that temporary reserves should be established in various sections along the coast where fishing should not be allowed for a number of years, the location of such reserves to be changed from time to time; what do you think of that?—A. I would not think that practicable.

Q. During what period of the open season is lobster fishing most actively prose-

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cuted?—A. In our district here from the July 15 to the close of the season. In Nova Scotia, of course, from the commencement of the season until June 1.

Q. Is the present regulation regarding the close season satisfactory?—A. It is with respect to two of my canneries here, but I think as regards the cannery on the Baie Verte side the line from Indian Point across to the Island shore is in the wrong place. I think it should run up the middle of that bay. That would give the same season to this factory, two miles away, as we have here. I think that regulation should be changed.

Q. Would you venture to say that division should extend to the line between the provinces; should not the natural division be the boundary between New Brunswick and Nova Scotia?—A. I rather think that should be, the provincial line.

Q. What would you think of a complete change of season here? Indications point to the fact that lobsters come in from either end of the Straits. What would you think of having a season from 15th July to the end of September in order to protect the berried lobsters? That would give practically the same fishing season?—A. With a view of protecting the berried lobsters I believe that would be a good move, but from the packers' standpoint I think the season is all right as it is.

Q. A season beginning on 15th July would be practically after the spawning season?—A. If the lobsters have spawned you could protect the berried lobsters in that way, but from the packers' standpoint I would prefer to have the season as it is. I think we would have perhaps too much of a catch in the fall, and the worms I think would chew up all our traps. I do not know as to that, but you hear some of the fellows who steal lobsters after the season is closed say the worms chew up their traps. They have to bring them in and dry them every month.

Q. Would you favour a universal close season for the whole Atlantic from July 15th to January 1st following, or have such a season from July 15th to January 1st north of Cape Canso, and from July 1st to January 1st west and south of Cape Canso, with a larger limit in the latter division than in the former, that is a larger limit from Canso south and west?—A. That is a pretty peculiar question to answer offhand, I would not care for that as a packer.

Q. It has been asked that fall fishing be allowed in some districts owing to the delay caused by ice in the spring. What would you say to that?—A. It has never been tried here, the experiment has never been made.

Q. We have September fishing in the Magdalen Islands?—A. There are some very severe storms in the fall of the year which would destroy the fishermen's gear. I hardly think that practicable around here.

Q. Is the present regulation restricting the number of canning licenses satisfactory?—A. To me it is.

Q. Are you in favour of limiting the issuance of licenses to pack and if so what limitation would you suggest, or would you favour issuing a license to every one competent to pack?—A. I certainly would not. I would only issue licenses to those that could invest a certain amount of capital, employ a certain number of fishermen and put up a satisfactory product.

Q. Would it be right or profitable to establish a standard of fitness to can? You would have to do that would you not?—A. Yes, you would have to do that to satisfy me.

Q. How would you establish that canning fitness?—A. The applicants would have to make a report to the department, I suppose, as to what they are able to do and how many fishermen they could employ. I would not make it less than 20.

Q. That would be 10 boats?—A. No, 20 boats.

Q. You would cut out a great many small operators?—A. It is time they were cut out.

Q. Should not the product of the canneries be subject to inspection?—A. It might be as well.

Q. Would it not be in the interest of the consumer that some official inspection

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should take place?—A. I think it would be a good move to have government inspection.

Q. Where there are a great many canneries the product, judging from appearances, cannot be up to standard?—A. No.

Q. Would you refuse a canning license to an alien?—A. Burnham and Morrill, and the Portland Packing Co. are competitors of mine. I would treat them the same as we are treated in the United States.

Q. Do you think the fishermen could make more money if they were allowed to can?—A. They were allowed to can here before and they all gave it up. I think they are in a better condition to-day than they ever were.

Q. What do you think of the policy of encouraging fishermen to co-operate in canning?—A. I think it would be a very poor policy.

Q. Are there any such canneries in this district, and if so how have they succeeded?—A. There are none here.

Q. How is the price of lobsters established here?—A. By market conditions at the time of hiring the fishermen.

Q. Do you think the fishermen are getting their fair share of the profits of the industry?—A. Undoubtedly I do, they are getting the biggest share.

Q. Are you aware of any complaints made by fishermen that the price paid to them by canners is not satisfactory?—A. Only what I have read in the papers about that Cape Breton insurrection.

Q. Is it the case that fishermen have lost their catch of lobsters by canners refusing to accept them?—A. I believe it was the case in Gabarouse, was it not?

Q. It has been alleged that in some cases fishermen have suffered injury by the failure of canners to operate their factories although a sufficient supply of lobsters was available. Has any such instance as that come under your notice?—A. No, none.

Q. It has been asserted that if the catch of lobsters were further lessened or curtailed the canners would have to shut down?—A. If it were curtailed by severe restrictions we would have to close.

Q. What market would the fishermen in this district have for their lobsters if the canneries were closed?—A. They would have no market in this district unless they could sell to the canner, or pack themselves.

Q. Which do you consider the most remunerative to the fishermen and the least likely to deplete the lobster industry, the live lobster trade or the canning?—A. I think the live lobster trade is the most remunerative to the fishermen.

Q. It certainly would be so with a 10 or 10½-inch size limit?—A. Yes.

Q. Are any live lobsters shipped from this neighbourhood?—A. No.

Q. Should the shipment of live lobsters be favoured in preference to the canning industry?—A. Not in this district. The shipment of live lobsters is not practicable in this district.

Q. Are the facilities not adequate here for the profitable handling of the live lobster trade?—A. Not here.

Q. From your experience can you say whether hatcheries have helped to maintain the supply of lobsters or not?—A. I believe the hatcheries have done a certain amount of good though I would favour, where hatcheries are operated, impounding the female lobsters in crates until the eggs are ready to be taken off. Then these female lobsters should be taken direct to the hatcheries and the eggs removed by the inside hands within the hatchery, and the female lobsters liberated.

Q. Then you would favour taking the female lobster alive to the hatchery and stripping her eggs there?—A. Not until the eggs are mature enough to strip. According to my idea there are certain stages of ripeness. When the eggs are mature and in a fit condition to strip I think that is the proper time to remove them.

Q. Do you think that a large number of eggs are now stripped when they are not mature?—A. I believe there are.

Q. Do you believe that any considerable percentage of the eggs is lost or destroy-

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ed in transit from the cannery to the hatchery?—A. A great number. The hatchery at Shemogue is a fiasco.

Q. Would you have any objections to stating the reason for that view? We have heard a good deal along this coast about that hatchery and I will, as an officer of the department, call attention to what I have heard.—A. I would hardly like to make any charges in this way. There is a great site at that hatchery for keeping crates in the harbour.

Q. We have been told there is a possible site near the harbour for a pound, is there any place there?—A. I don't believe there is enough water there although there may be.

Q. Is there a narrow opening, with a lake, or a lagoon or a pond inside, that could be fenced off? It requires a considerable area to hold a large number of lobsters and the water must not be too warm or too shallow?—A. I could not say as to that. I do not think that is a good spot, as far as I can see, although it possibly may be. You would have to get Mr. Baker down here to make an examination.

Q. You have made a suggestion which you think is still further calculated to improve the efficacy of the hatcheries?—A. Yes, removing the spawn at the hatchery at the proper time.

Q. Would it not be possible to take them at any time as they are caught and hold them in crates at the hatchery?—A. At the hatchery. If I said cannery I meant hatchery.

Q. Would you recommend an increase in the number of hatcheries?—A. Where pounds are not practicable I would. As far as I have read, the system of pounds is the best method of breeding lobsters, it is the natural method.

Q. Where it is practicable?—A. Yes.

Q. The policy contemplated by the departmental regulations is the taking of the large lobsters and permitting the small ones to escape. What procedure is best calculated to carry out this object?—A. Regulate the distance between the laths in the trap, have government inspection in the spring of the year before the traps are put into the water. That is all the size limit regulations we want in this country.

Q. You think a sufficient number of small lobsters will escape if the openings in the traps were made larger?—A. No packer wants a four or five-inch lobster.

Q. Such lobsters cannot be profitable?—A. No. No packer wants to be bothered with them. To regulate the traps is the only solution I can see of it.

Q. The creation of a Fisheries Board to advise the department in regard to the fisheries of the maritime provinces has been suggested. Would you approve of the idea?—A. I certainly would.

Q. Such a board should be composed of those interested in fishery work?—A. Yes, undoubtedly and be local men if possible.

Q. There would have to be minor boards, and delegates sent to the central board I suppose?—A. Possibly.

Q. Is there any other matter connected with this inquiry upon which you would like to express an opinion?—A. I think you have covered everything pretty fully as far as I am concerned.

Witness discharged.

JOB TRENHOLM, canner, Port Elgin, N.B., called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. I have been packing for 20 years now.

Q. Do you ever fish for lobsters?—A. I have fished this year occasionally.

Q. Where do you pack?—A. I pack at Northport, in Nova Scotia.

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Q. You do not pack in this county?—A. I am packing here now. When the season is over there I come over here.

Q. You have a license in each place, have you?—A. I am packing at Hampton Allen's, in his cannery.

Q. Then you are managing the thing for him?—A. Yes, for him.

Q. How long have you been packing here?—A. On and off for about 8 years.

Q. Would you rather testify as to the conditions of your cannery in Nova Scotia than here?—A. It is in Nova Scotia where I am most interested, but I am interested in a general way here as well as in that province. I live in New Brunswick.

Q. How many boats do you employ in your own factory?—A. Eight boats.

Q. And how many in the one here?—A. Six.

Q. Do you own any gear?—A. I own the gear of two boats here. The rest I buy from.

Q. How is it in Nova Scotia?—A. I own four boats and buy from three.

Q. How are the men that fish your own boats paid?—A. They are paid so much a hundred and found everything.

Q. What number of hands do the boats have, two men to a boat?—A. No, sir, one to a boat on a average. Occasionally there would be two in a boat now and then.

Q. How many traps do they fish to a boat?—A. A single boat 300 to 325 traps.

Q. What number of hands do you employ in the cannery, men, women and children?—A. I have about four girls and three men and boys.

Q. How much did you pack in your Nova Scotia cannery?—A. 140 cases this year.

Q. And last year?—A. I packed nearly 300 cases.

Q. What was the largest pack you ever made in that cannery?—A. 400 cases.

Q. What do you attribute your small pack of this year to?—A. I could not say.

Q. You did not get the lobsters?—A. I did not get the lobsters, that is all I can say. The fish were not there.

Q. Are you fishing more gear now than you used to fish?—A. More gear than I used to fish 10 or 15 years ago.

Q. Would you venture to say it requires more gear to keep up the same pack than it did 20 years ago?—A. Oh, yes, as much again.

Q. Then you have doubled the amount of gear?—A. Doubled the amount as compared with 20 years ago.

Q. Are you packing smaller lobsters than you were 20 years ago?—A. I think so.

Q. What is the best time of the fishing in Nova Scotia?—A. The best time is from the middle of July to the 1st of October. From Pugwash up to Baie Verte.

Q. What, in your opinion would be the best time to fish?—A. From the middle or 20th July to the 20th October.

Q. Is not the weather too rough then?—A. It is not rougher than it is in May.

Q. Would your gear not be destroyed to a greater extent by fishing in the month of August?—A. Yes, to a greater extent, but the amount of fish would more than make up for it.

Q. What is the principal spawning time of the lobster?—A. It is in June.

Q. And you think that by fishing in the season named you would take no spawn lobsters?—A. Yes, sir, there would be no spawn lobsters taken.

Q. And the fishery would be improved by that season?—A. I think so.

Q. What is the average number of spawn lobsters that you take in Nova Scotia where you are fishing; how many out of every hundred would be lobsters with berries?—A. I could hardly say. I have taken lobsters when you would hardly see one at all. At other times there may be ten to the hundred.

Q. Do you think that the female lobsters spawn at the same time in the same season in Nova Scotia as they do here?—A. Yes, they do from Pugwash up, but from Pugwash farther down they spawn later. They spawn earlier up here than they do down Pictou way; that is what I have been informed.

Q. In what depth of water do you fish?—A. From 4 to 7 and 8 fathoms.

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Q. And how far off shore will that be?—A. From half a mile to three miles.

Q. Do you notice any difference in the quality of the lobsters you get in shoal water as compared with those taken in deep water?—A. I don't know that I do. The lobsters in shoal water shed their shells earlier.

Q. Do you get more female lobsters in shoal water than in deep water?—A. No, I don't think it.

Q. Is there any particular bottom that the female lobster likes to keep on?—A. Yes, I believe there is.

Q. What sort of bottom would you say?—A. I could not say, but I saw one boat land more female lobsters than another. I think it was on rocky bottom.

Q. What is the smallest lobster you ever saw with berries attached?—A. About 7 inches I think.

Q. What size would the majority be?—A. From 7 to 10 inches.

Q. Do you think there is any part of the season when lobsters are not fit for human food?—A. Just after they have shed I think. When they are soft shelled they are not very good.

Q. Does the boat from the hatchery run to where you are canning?—A. No, sir.

Q. Then what is the regulation with regard to berried lobsters?—A. We throw away what we can and some we put through.

Q. Are you obliged to receive them from the fishermen; do the fishermen expect you to receive them?—A. Yes, they expect us to receive them.

Q. Would you lose your fishermen if you did not accept them?—A. I do not know that I would because there are very few anyway; they don't amount to much.

Q. Is the practice of stripping or washing the eggs off the berried lobsters followed by the fishermen in your neighbourhood at all?—A. Not that I know off. I don't believe they do that.

Q. Do the canners make any objection to receiving berried lobsters?—A. Some do. I have refused them sometimes myself; I told the fishermen not to bring them.

Q. Do you think the fishermen would be more apt to sell his catch to the canner who is willing to take illegal lobsters?—A. I hardly know. He would be very apt to.

Q. We have heard canners say they have been obliged to take illegal lobsters otherwise they would lose their fishermen?—A. It would have a tendency that way.

Q. What would happen if the canner did absolutely refuse to take berried lobsters, would the fishermen put them back in the water?—A. Well, I suppose they would.

Q. Do you think they would?—A. I think they likely would if they could not sell them anywhere else.

Q. You think the fishermen would strip these lobsters?—A. They would be very apt to.

Q. As to the size limit of 8 inches, what is the practice?—A. The practice is to take all you can get hold of.

Q. Are you obliged to do it?—A. Obligated to do it to keep the thing running.

Q. What would happen if the law were strictly enforced and no one was allowed to can anything under 8 inches?—A. I don't think one factory out of 50 would be able to run. They would be closed.

Q. What proportion of the lobsters taken is under the 8-inch size limit?—A. Well, I never measured them.

Q. Have you formed no estimate for yourself; we don't want to tie you down to anything absolutely exact?—A. This time of the year there would be very few under 7 inches. Along from June they are small; there is a smaller run of fish.

Q. In June you would get a larger percentage of small fish?—A. Yes.

Q. Do you understand that berried lobsters should not be taken?—A. Yes.

Q. Do you think it is right to take the small lobsters?—A. Well, if they are under 7 inches there is not much profit in packing them.

Q. But apart from the profit, do you not think that ultimately the practice of

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taking berried and small lobsters before they can breed at all must have a bad effect upon the fishery?—A. I think so.

Q. So you think if the size limit were strictly enforced it would close down most of the canneries?—A. Sure.

Q. What is your opinion of the present system of licensing canneries, do you think there are enough canneries licensed at present?—A. I think likely there are.

Q. Do you see any reason why any man who is competent and has the means to pack, should not have as much right to get a license as another?—A. I don't know that there are any reasons why he should not, but I know that people ruined themselves from packing lobsters. Before they went to pack they sold their fish and did all right. They made a little money then and thought there was such a fortune in it that they went into the packing. The result was it ruined them. Since that they have been fishing and selling their lobsters.

Q. Do you think the average fisherman would do better selling his lobsters than canning them?—A. I think the average would.

Q. Still among the fishermen there will be young men of enterprise and ability. Do you think the department would be justified in encouraging a number of young men who wish to club together and get a license to can, provided they could show they were able to carry on the industry properly?—A. I believe they would.

Q. Has there been a noticeable decline in the average size of the lobsters caught in your district since the early days, say 30 years ago?—A. Oh, yes.

Q. Do you think that decline has reached its limit?—A. Well four years ago this summer it was very slack fishing in Nova Scotia compared with this summer down where I fished, but three years ago we had a good catch.

Q. I suppose with lobsters it is the same as with every other fishery, you have good years and bad years? You must always expect that from the conditions of weather and one thing and another?—A. Yes, we must expect that.

Q. Would you favour any change in the present lobster season?—A. Yes, I would suggest beginning fishing July 20 and continue fishing until October 10.

Q. Do you think it would take a larger number of lobsters to fill a pound can in September and October than it would in May and June?—A. Yes, because in June you know the lobsters are very full.

Q. But if you fish during the season you have suggested you would not commence until after the lobsters have done spawning?—A. No.

Q. And your theory is that is the best way to protect the lobsters?—A. Yes, that is my theory.

Q. But that would only apply to this district?—A. From here to Pugwash. We want the same season in Nova Scotia down as far as Pugwash that they have here because it is runious down there the way our season is. I wrote several letters when the other Minister of Marine was in, asking for that change. I wrote several letters to Mr. Préfontaine and he promised to send down a commissioner to hold a meeting but he died before anything was done.

Q. How far is Pugwash from here?—A. About 20 miles south. You see it is the same waters from here to Baie Verte as it is from Pugwash on the other side of the division line.

Q. Within your recollection were the regulations ever strictly enforced?—A. Oh, no, they have not been, we all know that. If they were strictly enforced the canneries would be all closed long ago.

Q. If the regulations were strictly enforced they might make slack times for a few years, but would not the industry eventually pull up again? The enforcement of the regulations is with a view to improving the conditions?—A. I think likely it would, but in my opinion what would have the most benefit would be a change of season so as to let the lobsters cast their spawn before you handle them at all.

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Q. There are many places on the coast where you could not fish in the fall but here you have comparatively sheltered water?—A. Yes.

Q. What in your opinion has been the cause of the decrease in the supply of lobsters?—A. Overfishing.

Q. Have you formed any opinion as to the number of lobsters it takes to fill a pound can?—A. To fill a pound can it takes from six to nine.

Q. To which cannery are you referring?—A. It is about the same in both canneries that I am interested in.

Q. Would you favour reducing the size limit to 7 inches?—A. Yes.

Q. Do you think if the size limit were reduced, the fishermen and cannery would be more apt to observe that regulation and refuse everything under 7 inches?—A. I think they would.

Q. What would you say of a regulation abolishing the size limit and making the season a little shorter to compensate for that? You know the size limit is not observed?—A. I know it is not observed. As to the size limit I hardly ever see a lobster under 6 inches. It is rare that I ever see one where I fish, but they tell me in other localities there is an immense number under 6 inches.

Q. That is a big lobster in some places?—A. Yes, but where I fish I rarely see less than a 6-inch lobster.

Q. Is it the case that cannery are compelled to accept undersized and berried lobsters for fear of losing their fishermen?—A. I think so.

Q. What weight of green lobsters does it require to pack a case?—A. Would that mean the season through?

Q. At various times if you like?—A. From May to July 1 it will average about 195 pounds, something like that. Then from July to October it will average 215 or or 220 pounds.

Q. It has been suggested that it would be a good idea to require the fishermen to take out a license for each boat. Do you think if they did that they would be more apt to observe the law?—A. I would not think it would be advisable to license their boat.

Q. Do you think it is wise to allow every canner to fish as many boats as he pleases, or would you limit the number of boats fished by him?—A. Yes, I think I would limit the number of boats fished by a canner.

Q. What would be a fair limit?—A. About 10 or 12 boats.

Q. You do not think a canner should fish more than that?—A. No, I don't think he should.

Q. Would you limit the number of traps fished by a boat?—A. Yes, to 325.

Q. Have the regulations for the protection of the lobsters ever been observed?—A. Not strictly.

Q. What would be the effect of strictly enforcing the present regulations?—A. The effect would be that no canneries could run.

Q. Do you think the existing penalties provided by the law are sufficient if they are enforced?—A. Yes.

Q. What would you think of a general closing down for a number of years with a view to letting the fishery improve in the meantime?—A. I don't think it would be advisable.

Q. Instead of that, some people have proposed to close down in sections, to shut off certain parts of the coast and to keep changing the location of those sections?—A. I have thought it would be a good move to permit fishing every other year and give a longer season. By doing that they would get a good many fish and next year they would not go to any expense, they could carry on something else.

Q. What would the fishermen do in the meantime?—A. They would go farming.

Q. The men who fish lobsters are not regular fishermen, they fish lobsters and nothing else?—A. Nothing else, that is the majority of them around here.

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Q. During what part of the season is the lobster fishery at its best?—A. About September.

Q. Do you think the product of the canneries should be inspected in order to see that the lobster meat is put up in a proper way?—A. I don't think that is necessary.

Q. How does the price paid the fishermen now compare with that paid when you first became connected with the industry?—A. The price is now about three times what it was when I first commenced, or more. When we first began, the price was 40 cents a hundred, the fishermen finding their own boats and boarding themselves. During the present season we have been paying from \$1.25 to \$1.50, finding them boats, board and everything.

Q. Are the fishermen making more money to-day than they did then?—A. Well, some do and some do not.

Q. The majority of them do?—A. No, I don't know that they do.

Q. Are you aware of any complaints made by fishermen that the price paid for lobsters by the canners is not satisfactory?—A. Not around this locality.

Q. You do not know of any serious complaint?—A. No.

Q. Is it to your knowledge that fishermen have ever lost their catch of lobsters by the canners refusing to accept them?—A. No.

Q. It has been alleged that in some places the fishermen have suffered injury by the failure of canners to operate their factories although a sufficient supply of lobsters was available; do you know of any such instance as that?—A. No, I do not know of any such instance.

Q. Supposing the canneries were closed would the fishermen find any market for their lobsters?—A. No, I think not, or only for a very small portion of them.

Q. Which branch of the lobster industry do you think is the most remunerative to the fishermen and the least calculated to injure the fishery, the canning or the live lobster trade?—A. The canning in our section.

Q. Have you ever known live lobsters to be shipped to the market from your district?—A. No.

Q. Are there any facilities to enable live lobsters to be shipped?—A. They were trying to do it this spring but they failed.

Q. Where?—A. From Port Elgin to Boston.

Q. They ship live lobsters from Shediac?—A. Yes, but it is more direct there, and they have a better opportunity.

Q. There is no chance to do it here because there are no facilities?—A. No.

Q. Do you think the hatcheries are helping to keep up the supply of lobsters?—A. I would suppose they are but I don't know because I was never in one.

Q. What would you think of buying the berried lobsters from the fishermen and putting the lobsters in pounds to hatch out themselves?—A. I think that would be too expensive.

Q. Do you know of any place where pounds could be established?—A. No, I do not.

Q. Would you recommend an increase in the number of hatcheries?—A. Yes, provided the season stands as it is.

Q. But you prefer to see the season changed?—A. That is my idea.

Q. Is the trap at present in use the same that you always fished with?—A. About the same.

Q. But you use the parlour traps?—A. Yes, we have been using them for 10 or 15 years.

Q. Why did the fishermen adopt that trap?—A. Because it was the best I suppose.

Q. In what respect, does the parlour trap keep the lobsters better?—A. I don't know what you mean by the parlour trap.

Q. You call it the wheeler trap?—A. Down in Nova Scotia they have what they call the jail trap, one head more.

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Q. With an opening in the side?—A. Yes, an opening in the side. They claim they are better than the wheeler traps.

Q. Are the slats not put closer together than when you began to fish at first?—A. Very little.

Q. Do you think that a larger percentage of small lobsters would escape if the slats were kept a little farther apart?—A. Sure.

Q. Would you advocate requiring the slats to be put farther apart?—A. Yes.

Q. Have you anything further to say?—A. If the season in New Brunswick stands as it is, I would prefer for the division line to extend from Pugwash to Crapaud on the Island instead of from Indian Point to Crapaud. Northport is 10 miles west of Pugwash bay. From Pugwash down the straits there is about 75 or 100 miles in the spring of the year that are literally filled with traps so that it is almost impossible for lobsters to get up to Baie Verte, the season opens so very late. As soon as the ice is clear the Straits are filled with traps and you seem to have no chance up there of getting the fish until after they have shed. Then there is good fishing at Northport. Two years ago they got up a petition from Pugwash down to River John to have the season changed, beginning in the middle of July. I think another petition was sent in opposition to that. Some of those against it thought it would be ruinous. That was about three years ago.

Q. Do you think the lobsters that enter this portion of the Straits come up from either end of Prince Edward Island?—A. Yes, I do.

Q. And they come here to spawn?—A. Yes. Four years ago this summer at Northport the lobster fishing was very slack until after the lobsters had spawned. After the lobsters had spawned they came in there and there was any amount of them. The next spring we had good fishing. That was three years ago. They come in after they have spawned and that shows me they come in from outside somewhere. All through the Straits that summer it was a very poor summer. There is an immense amount of spawn destroyed, but if the fish were allowed to deposit that spawn in the sea it must have a tendency to increase the fishing.

Witness discharged.

Commission adjourned.

PRINCE EDWARD ISLAND,

TIGNISH, July 30th, 1909.

CHARLES McINNIS, fisherman, Tignish, called and sworn:—

By the Commissioner:

Q. How long have you been fishing?—A. About 18 years now, I think.

Q. Have you always been engaged in lobster fishing?—A. Ever since I started.

Q. Do you do any other fishing?—A. Mackerel or cod sometimes.

Q. At what part of the coast do you carry on your fishing?—A. Out of Tignish harbour.

Q. Have you always fished in the same place?—A. No, I fished farther up the shore, about two miles farther.

Q. Have you any union of fishermen in this locality?—A. No, sir.

Q. Are you fishing lobsters this present season?—A. Yes, sir.

Q. For whom do you fish?—A. The Portland Packing Co.

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Q. On what lay do you fish, do you own your own boat and gear?—A. My own boat and gear.

Q. Have you always fished your own boat and gear since you first began fishing?—A. I fished three years when I started first with another man's gear.

Q. Do you fish off shore into the gulf?—A. Yes, sir.

Q. How far off shore do you fish for lobsters?—A. About two and a half to three miles.

Q. In what depth of water?—A. About 13 fathoms.

Q. What number of traps do you fish?—A. 250.

Q. That is divided into how many trawls?—A. Into five.

Q. What is the least water you fish in?—A. About two fathoms.

Q. Do you run your trawls off shore or parallel to the shore?—A. Parallel to the shore.

Q. Do you suffer much loss of gear here?—A. Yes, very much.

Q. In the early spring particularly?—A. In June, about the middle of the season is the worst.

Q. How much of the gear have you to renew every year?—A. Some years I have to renew about 150 and 200 traps.

Q. What is the life of a trap?—A. Not over about two or three years.

Q. What is the lowest value you place on a trap, counting the trawl, gear and everything?—A. It is worth a dollar.

Q. Are there many other fishermen engaged in the industry in your locality?—A. Oh, yes, quite a number.

Q. Could you venture to give us a rough estimate of how many fishermen are engaged in fishing lobsters around this coast, with their own gear or without?—A. There are 60 to 80 boats and there are two men in each boat.

Q. Do you fish throughout the season in the same depth of water?—A. No, after about half the season we move inshore.

Q. And is that the practice of all the fishermen?—A. All the fishermen.

Q. Do they move inshore as the season advances?—A. Yes, sir.

Q. Have you always fished the same number of traps?—A. Well, not always, it is just this last few years I have increased the gear.

Q. To keep up your catch have you found it necessary to increase your gear?—A. Well, although we increased our gear this year we did not keep up anything like it.

Q. On the whole, going back to the time that you first began fishing how has the catch been?—A. I don't see much difference, not much difference at all.

Q. You think you deliver the same weight of lobsters now that you did when you first began to fish?—A. Yes, I think that last year and the year before I landed more than others.

Q. With the same gear?—A. The same gear.

Q. And is that general with the fishermen?—A. Oh, yes, that is general.

Q. Are the lobsters as large as when you began to fish first?—A. I don't see any difference, just about the same run of lobsters.

Q. Has the total number of traps increased in this district?—A. Oh, yes.

Q. There are many more fishermen?—A. Oh, yes.

Q. Has the number of traps fished doubled from what it was when you commenced?—A. Oh, yes, it has doubled; I suppose it has trebled in 18 years.

Q. Is there any difference between the trap you fish now and the one you used when you first began to fish?—A. Oh, yes.

Q. You fish what is called the parlour trap or the wheeler trap?—A. We call it the parlour trap.

Q. What led to the introduction of the parlour trap; why is it used in preference to the other?—A. It holds the fish, that is the idea.

Q. Are the slats placed closer together now than when you first began to fish?—A. I think they are a little.

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Q. Do you take much smaller lobsters than you did when you first started fishing?
—A. Not on this shore.

Q. When do you commence to fish here?—A. This year we commenced the 26th April and fished until the 10th of July.

Q. Do you fish right up to the end of the season as a rule?—A. Oh, yes, we always do.

Q. What is the size limit here?—A. There is no limit here; we take the lobsters any size at all.

Q. What about berried lobsters?—A. We have to throw them out.

Q. Are they thrown out?—A. Yes, this year.

Q. This year they have been thrown out for the first time?—A. The first year, yes.

Q. Before that were the berried lobsters brought in?—A. Yes, sir.

Q. The canners used to take them?—A. Yes.

Q. But they refused to take them this year?—A. Yes, they did.

Q. Is the practice of stripping the eggs off the berried lobsters followed here at all?—A. Not that I know of at all.

Q. Do the majority of the fishermen own their own boats and gear?—A. Oh, no.

Q. Most of them fish for the factory here?—A. Yes.

Q. How do the fishermen that own their own boats and gear sell their lobsters?—
A. They get \$2.50 per hundred weight this year. Last year they got \$3.50.

Q. There was a drop of \$1 in the price?—A. Yes.

Q. What caused that drop?—A. I don't know. I know just a little way down where they have been paying \$4.25 this year right along, in Richmond bay. At Egmont bay they are paying \$4.25 yet, the season is still on.

Q. And from this point down how is it?—A. They only got \$2.50.

Q. What sort of bottom do you fish on?—A. Rocky bottom.

Q. Do you find that the bottom makes much difference?—A. Oh, yes.

Q. You find more fishing on——A. Rocky bottom, sure.

Q. What is the best fishing month for you?—A. As soon as we can get our traps out. The earlier in April we go the better fishing we get.

Q. At what time of the fishery do you find most female lobsters with eggs attached?—A. Well, this year along about the 1st of June, along in June, they were the most.

Q. And how about other years?—A. In other years it would be generally about the first of the fishing we would find more berried lobsters.

Q. Where do you find them, on the outside shore?—A. On the outside shore.

Q. Do you find more of them in shoal water?—A. Oh, yes, you get more of them in shoal water.

Q. At what time of the year do the lobsters spawn here?—A. All seasons of the year.

Q. That is they have spawn on them at all seasons?—A. Yes.

Q. Do you notice that on the lobsters about to spawn the eggs are riper?—A. Yes, certainly.

Q. And do you find some fish that have spawned?—A. Yes, lots of them.

Q. At what time do you find them with the ripe spawn? Some of the lobsters carry their spawn all the year round, do they not?—A. They do.

Q. You get them with the spawn in the fall as well as in the spring?—A. They don't allow themselves to spawn in the fall.

Q. How does the price now paid for lobsters compare with that paid when you first began to fish?—A. It is just about the same as when I first commenced.

Q. When you first commenced here eighteen years ago what price did you get?—
A. Then I got, I think, \$1.50 or \$1.75 a hundred.

Q. Is there any competition in the matter or are you forced to accept the price you get?—A. We are forced to accept the price we get.

Q. You have got to take the price or leave it?—A. Yes, sir, sure.

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Q. Do you think there is any combination on the part of the packers to keep the price down?—A. I think there is.

Q. Do you take to the factory everything you catch?—A. Yes, sir.

Q. And the canners take what you bring them?—A. Always until this year. We threw the spawn fish away this year.

Q. You expect the canner to take all you bring to him?—A. Sure.

Q. Regardless of the size or anything else?—A. Yes, sir.

Q. And you say there is no size limit here?—A. No.

Q. And there has never been any?—A. There was, some years ago.

Q. What was the size limit that was established?—A. It was 9 inches.

Q. It was 9 inches at first and later on 8 inches?—A. Yes.

Q. And that size limit has never been enforced?—A. Not in my time.

Q. Do you not think it is wrong to destroy the female lobsters?—A. Sure.

Q. Along with the young lobsters that have not reached the age at which they will reproduce themselves?—A. Yes, sir.

Q. How can you expect to keep up the supply of mutton if you kill off the lambs?—A. I think if the spawn fish are not allowed to be landed but are allowed to mature, that will be sufficient to keep up the lobster industry here. I know if I could get all the spawn on one lobster for a season after they all matured, I would be quite satisfied.

Q. What is your average catch, how many tons do you deliver?—A. From 22 and 23 down this year.

Q. You are selling them by weight?—A. Yes, by the hundred pounds.

Q. How many hundred weight have you delivered at the factory in your best catch?—A. Somewhere about 23 hundred weight.

Q. I mean in a season?—A. Oh, in a season? Well about 23,000 would be about the best.

Q. From your observation as a fisherman what do you think is the spawning season of the lobster?—A. About June.

Q. Do you find more spawn on the lobsters in that month than you do at any other time?—A. I think so.

Q. Is there any time when the lobsters are not fit for food?—A. Yes, about the 1st July and along there.

Q. That is when they cast their shell?—A. Cast their shell.

Q. What is the smallest size at which you have ever seen a female lobster with eggs on her?—A. About 8 inches I think. I have seen them as small as that.

Q. Not less than 8 inches?—A. No, I don't think so.

Q. What size would the female lobsters with eggs on them run on the average?—A. About 10 inches.

Q. They are generally good full fish?—A. Yes.

Q. What proportion would they bear to the total catch, how many out of every hundred lobsters would be females with eggs?—A. Not over five or six.

Q. What would you think of the proposition to require fishermen to take out a license—either license the boat or license the fisherman—do you think they would be more likely to observe the law if they were licensed?—A. Not a bit.

Q. Have the canners in this neighbourhood ever objected to accepting berried or undersized lobsters?—A. Never, before this year.

Q. Is it to your knowledge that they ever made any examination at the factories for the purpose of detecting undersized or berried lobsters?—A. I don't think so.

Q. Where large quantities of lobsters are brought and thrown into the factory quickly, would it be an easy matter to cull them over for that purpose?—A. No, it would not be a very easy matter then.

Q. If the canners refused to accept berried lobsters would it have the effect of inducing the fishermen to throw them overboard?—A. Sure.

Q. They did so this year, you say?—A. Yes, sir.

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Q. Is it the practice to avoid dealing with a canner who is known to be careful on this point and to go to another canner who is less scrupulous?—A. No.

Q. Do you think it would be possible to get the fishermen to return to the water all the berried lobsters they take in their traps? Of course, they do not all do it?—A. As far as we know here they do, because one fisherman looks after the other.

Q. Do you think the fishermen are beginning to realize the advantage of sticking to the regulations as far as they can?—A. I think so.

Q. Do you think it would be possible for the government to buy from the fishermen all the berried lobsters taken in their traps and place these lobsters in pounds?—A. Sure they can.

Q. Do the facilities exist in this district for having pounds? You must have a sheltered place with a free rise and fall of the tide, a certain depth of water and a narrow outlet that can be barred?—A. I think it could be handled here fine.

Q. Where is there a place to establish a pound?—A. There is a place in the wharf that was left to haul in boats.

Q. You want a large space where you could impound a great many thousand lobsters?—A. This is big inside you know. It is a space left in the wharf for pulling boats through.

Q. What depth of water is there?—A. Three feet.

Q. That would not do. We must have at least three or four fathoms of water. It will not do to expose the lobsters to the sun or the heat. You have no hatchery in this neighbourhood at all?—A. No, sir.

Q. What is your opinion about hatcheries?—A. I think they are a great thing.

Q. Do you know anything about the effect of hatcheries?—A. No, sir.

Q. Are you aware of any fisherman having lost his catch of lobsters owing to the refusal of the canner to accept them?—A. Not around here.

Q. In some places the cannery have refused to accept lobsters because more were delivered than they could handle, and on other occasions it is alleged they have refused to accept delivery of lobsters with a view of compelling the fishermen to obey them strictly. That has never happened about here has it?—A. We have had to lay off a day or so here on account of having too many lobsters and not facilities to handle them all.

Q. Do you think the number of boats fished by a cannery should be limited?—A. Oh, I don't know; I don't think so.

Q. You do not think you would limit the number of boats or the amount of gear fished by any cannery?—A. I don't think it makes very much difference.

Q. What do you think of the practice of limiting the number of canneries and only giving licenses to certain persons?—A. Well, I don't think much of that, because the man that wants to go to work and start a factory to make a few dollars out of it is not allowed to do so, he cannot get a license. The bigger fellows get the license; they come around and buy them up year after year; they are buying up all the licenses here. The company owns them all now with the exception of Myrick's.

Q. You think, then, that any man who shows his ability or his fitness to can should get a license? There would always have to be some guarantee of fitness to can because all men are not competent?—A. Certainly not.

Q. What do you think of the idea of allowing fishermen to co-operate in canning?—A. That is all right.

Q. It has been suggested as one way of restoring the fishery to its former good state to close down for a number of years altogether, to stop canning in all directions; what do you think of that?—A. I don't know I am sure.

Q. What would the fishermen in this neighbourhood do if canning were stopped for a term of years?—A. They would have to go back to the farms I suppose, any of them that have farms, or leave the country, and I guess most of them would do that.

Q. Are most of the men engaged in fishing lobsters confined to the lobster industry?—A. Pretty much.

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Q. They do not do any other fishing?—A. Not very many.

Q. They are generally farmers?—A. No, there are a lot of them are not farmers.

Q. What do they do when they knock off lobster fishing?—A. They don't do anything so far as I can see.

Q. Do they trust to the lobster fishery entirely for a living?—A. That is about all.

Q. It is an awkward thing to have all their eggs in one basket. The Lobster Commission of 1898 recommended the establishment of temporary reserves, that certain sections of the coast should be shut off from year to year, and allowing other sections to fish, and changing these sections from time to time, the idea being to improve the lobster fishery. What would you think of that?—A. I don't think that would do a great deal of good.

Q. What is your idea of the best regulation to adopt with a view to preserving and protecting the fishery? The lobster fishery is running down, there is no question about that?—A. Well, I think the average catch this last few years, with the exception of this year, has been good.

Q. But it has been made up by catching immature lobsters; you say the size limit here has never been observed?—A. Never.

Q. You surely see the necessity for having some regulations governing the fishery?—A. Well, the only thing I see, if it is carried on right, is to put back all the spawn fish into the water. That is all you want.

Q. And catch the lobsters as small as you like?—A. Yes.

Q. You would put no limit to the size?—A. I would put no limit to the size.

Q. What would you say to abolishing the size limit altogether and shortening the season somewhat but protecting the berried lobsters?—A. That would be all right.

Q. How much could the season be shortened and the fishermen still make a livelihood? The idea of shortening the season is to make up for the fact that you would be taking smaller lobsters and that in the course of a few years the fishery would improve. How much do you say the season could be fairly shortened?—A. Well, take ten days off the last of the season.

Q. That is the ten days in July?—A. And make the season say to the 1st July.

Q. And do away with the size limit?—A. Yes.

Q. Do you think there are any sections of the coast where lobsters should not be fished at any time?—A. No, I don't think so.

Q. Do you think that fishing should be allowed in the inner bays and lagoons where lobsters naturally go to spawn, would you not confine the fishery to places farther off the shore?—A. If the law were carried out there would be no doubt it would be.

Q. The trouble with the present law is that it does not appear to be enforced. I suppose if it were enforced and you were tied down strictly to an 8-inch limit you could not continue fishing?—A. Yes, certainly I could.

Q. Would you get enough lobsters to pay you for fishing?—A. I don't say we would get enough to pay us but when a man gets his living that way——

Q. What would happen to the canneries if they were tied down to an 8-inch limit on this coast. Most of the canners we have come across say that if restricted to that size limit they would have to shut down because they would not get enough lobsters to continue packing profitably?—A. They tell me on the west side here they get a smaller lobster than we do.

Q. From what we have heard there are factories where they do not see a lobster which is up to the size limit. What would be your idea? You have told us that you would do away with the size limit and shorten the season?—A. Yes.

Q. Do you think that would be acceptable to the majority of the fishermen?—A. I think so.

Q. Do you think the fishermen would have no right to complain if that regulation was enforced say on the north side of the Island?—A. No.

Q. And what do you think of fishing in shoal water and lagoons?—A. Those are

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places that the lobsters go into, hatch out and come out again. Certainly in those places it should be stopped.

Q. Do not the lobsters go back into deep water in the winter?—A. They tell me they can get lobsters in most places in winter time.

Q. Any quantity of them?—A. No, I have not heard of a quantity, I have heard of fishermen catching them.

Q. How would you determine the fitness of an applicant for a canning license; supposing we decided to issue a license to can to every applicant who considered, and was able to show, that he could conduct a canning business properly, how would you fix that matter?—A. It is a pretty hard question for me to answer.

Q. Would the fishermen here find any market for their lobsters if the canneries were closed? In some places there is the live lobster trade?—A. There could be a little of it done here but nothing to pay.

Q. The facilities do not exist here for carrying that trade on, you are too far away from the market?—A. Too far away from the market.

Q. It has been alleged that in some instances the fishermen have suffered injury by the failure of those holding canning licenses to operate their factories, are you aware of anything of that kind?—A. I don't know anything about that. I just heard about that in Nova Scotia this year.

Q. Who fixes the price paid for lobsters?—A. The canners.

Q. Has the fisherman any say in the matter?—A. Not much. He can just take what they offer him.

Q. Do you think the fishermen could make more money if they were allowed to can for themselves?—A. While we were at it for a year or so we made more money.

Q. Then you yourself have canned?—A. Yes.

Q. How did you come to give it up?—A. The man sold the factory. The Portland Packing Co. came along and bought it out.

Q. You were not operating in your own cannery, you had a lease of the factory?—A. The man owned it and we went into partnership with him.

Q. And he sold out to the company?—A. Certainly. That is one thing that ought to be stopped, allowing these people to come down here and buy up all the licenses.

Q. If we did not limit the number of licenses perhaps that would not happen so easily?—A. They own now on the west side from West Cape to North Cape with the exception I think of two factories.

Q. And are they running all the factories?—A. Oh, yes.

Q. You say that you do not notice any very great decrease in the size of the lobsters caught in your district during the last ten years; are the lobsters getting smaller?—A. I don't see very much difference at all in them.

Q. What do you think of having different seasons in different sections of the coast? To the south you have another season altogether, they are still fishing there and will continue to do so until the 10th of August.—A. I think that suits them all right because in our season here it seems they do not get any lobsters.

Q. Do you think that is right; there are a number of people who think there should be one general season?—A. The lobsters don't strike in that part when they strike around here, so it is right. I should think they should have their privilege too.

Q. Is there any reason why the size limit should be smaller in one district than in another?—A. I don't see that it should be.

Q. Do you think that the lobsters in the beginning before the fishery had declined at all, were pretty much of the same size all over?—A. I think so, pretty much. I know there were some larger lobsters caught here last year than there ever was.

Q. Do you not think your entrance hoops are so small that large lobsters cannot get into the trap?—A. Well, if some of these chaps had to make a hoop to suit them every lobster would go out.

Q. What is the size of your hoop?—A. Four and a half inches.

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Q. There are some smaller than that?—A. Yes, I suppose there is. That is the average on this side.

Q. At what distance apart do you put your slats?—A. About an inch and a quarter.

Q. Do you think it would be possible to allow a larger proportion of small lobsters to escape if the slats were kept farther apart?—A. Yes, I suppose it would.

Q. Would that not be one way of saving the small lobsters?—A. Certainly.

Q. There are places where the slats in the trap are not farther apart than half an inch?—A. I suppose there are some traps here too.

Q. Some districts have asked to be allowed to fish in the fall, what do you think of that?—A. It would be all right if it would not do away with the lobster industry altogether.

Q. Could you fish in the fall here?—A. Yes.

Q. The weather is not too rough in September?—A. Well, we could work it all right I guess if we had the privilege.

Q. Are there any live lobsters shipped from this district?—A. There have been a few.

Q. To what market were they shipped?—A. To Boston.

Q. Do you know whether it was a profitable venture or not? It could not have been or the business would have been kept up I suppose.—A. We shipped a few ourselves and they turned out all right.

Q. During what period of the year did you ship?—A. In May.

Q. In the early part of the season before the hot weather came?—A. Yes, sir.

Q. Do you think shipments could be made during the hot weather?—A. Not very well I think.

Q. Do you think the live lobster industry is the more profitable one to the fisherman than selling to the canner, where it can be carried on?—A. I think so, the live lobsters are more profitable.

Q. Have you any recollection how much the lobsters you shipped brought you?—A. I think it was somewhere about \$5 per 100 pounds.

Q. That is they netted you that much?—A. Yes, clear of everything.

Q. Is there anything you would like to add to your testimony?—A. No, I think that everything has been covered pretty well.

Q. If there is anything you wish to add you are at liberty to do so.—A. No, I have nothing further to say.

Witness discharged.

ALEXANDER J. MCFADYEN, packer, Tignish, called and sworn:—

By the Commissioner:

Q. Do you desire me to go through the list of questions or do you prefer to make a statement yourself?—A. The latter course might be shorter. I heard Mr. McInnis's evidence in part. His evidence, of course, has been very good from the fisherman's standpoint. There are a few things that might have been further stated by him and perhaps you have already gone over the subject. Before proceeding I would like to hear his opinion on the close inshore fishing.

The COMMISSIONER.—I think he has stated that if it could be proved the inshore fishing was injurious and destroyed an unfair proportion of breeding lobsters, he would do away with that fishing altogether.

The WITNESS.—I would ask also was there anything said with reference to the bay fishing? For instance Alberton bay, that is what we call Cascumpeque—

The COMMISSIONER.—We did not go into that because we will hold a sitting at Alberton to-morrow.

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The WITNESS.—When you are questioning the Alberton fishermen you will have men directly interested in that. Here I think it would be right to have the opinion of the outside fishermen.

Mr. McINNES.—That is what I meant by the bay fishing and harbour fishing. Inside say two fathoms of water.

The WITNESS.—Do you think that is an injury?

Mr. McINNES.—Oh, yes, sir, it is certainly.

The WITNESS.—As to hatcheries we have none in Prince county, and we have looked upon these bays as natural hatcheries but they are interfered with. They are fished extensively, in fact the fishermen have done better there this year—both the fishermen and the packers—than anybody else in the province.

By the Commissioner:

Q. Do you think it is late in the season that the lobsters get in there?—A. I think they get fishing a few days later than we do outside.

Q. Do you think the lobsters winter in these bays?—A. Oh, no, not at all. Their object, like that of other fish, is to go into deep water to escape the ice. Cascumpeque and Richmond bays are covered by shoal water beneath which there is eel grass into which the fish like to get in summer.

Q. At the lagoons in the Magdalen islands, similar conditions prevail, and fishing for lobsters is not allowed in them at any time of the year?—A. I think that in the bays of the Magdalen islands they have very deep water.

Q. They have deep water in the Grand Entry lagoon, but all the same there is no fishing allowed. Once the lobsters get into the lagoon they are protected because we look upon those lagoons as natural breeding grounds?—A. I think the same thing might apply to this province. Referring to another question asked Mr. McInnis there is one matter that I would take a little exception to. As this province is not a very large one the coast is not extensive and I think that one season will answer the whole of Prince Edward Island.

Q. You mean for the south shore?—A. For the north and south side. Of course what he said is true from the fisherman's standpoint. The witness said that at the present time they are having the best fishing but they were obliged to wait until the fish shelled or molted. On this side—

Q. We have been all along the southern part of that district, along the coast of New Brunswick, and it is very clear from the evidence given that they only get their fishing after the other fishing is over?—A. That is true. You are undertaking to protect the fishery but if you are going to give the fishermen the season when they can get the fish, you are protecting the fishermen and not the fish. I would also say in reference to Mr. McInnis' proposal to shorten the season. He wants to take ten days off the last part of the season. I would take ten days off the first part.

Q. Why would you take ten days off the first part?—A. For several reasons. The first is that the fish are in very much better condition for packing then; they are more profitable to the canner, and the canner can afford to pay the fishermen a better price. The early catch, if they can get to work by the 20th April, as they will sometimes, will not begin to compare in average with those that are caught from the 1st of May up, and in consequence it reduces the average of the number to the can.

Q. What was the reason for fixing the 20th or 26th April for opening the season, why was that done?—A. That was done to protect the fish. At one time we had quite a long season and fall fishing. They cut out the fall fishing and found that the only regulation that was of any use whatever, was that of shortening the season. That was the only regulation they could enforce or did enforce. There was some attempt made to enforce that, but unfortunately it has not been too stringently enforced yet, to the injury, I think, of the fishery.

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Q. To what are you referring?—A. The close season.

Q. Is there any fishing after the season is over along this shore?—A. Yes, always.

Q. Any local packing?—A. Always.

Q. How is the packing done in that case?—A. It is not done in the regular canneries.

Q. It is done in shacks and odd places?—A. Yes.

Q. What kind of pack is put up in that way, is it a poor pack?—A. Yes, it is not a good pack.

Q. And it injures the general industry?—A. The fish that are caught later on make a better pack than those caught immediately after the close of the season. For some reason there is a difference between the quality of the fish canned after the close of the season, and those canned in the season. It may be from the inexperience of some engaged in the canning and the nature of the methods employed, or the difference may lie in the fish themselves. It is something that I cannot say.

Q. Do you think that the present limitation of the number of canneries should be maintained, that is the limitation of the number of licenses issued?—A. That has a tendency towards monopoly. If there was no privilege for an individual to open a factory those holding licenses might be bought up, and there are several phases of that. For instance you might take ourselves. We profess to run but one place. That central place is supplied by a number of fishing stations. At one time we had a large number of packing places around, but we found that every one of those, some dozen or more, would have a different pack in quality and variety, so that when you came to sell your pack there was a great deal of difficulty. Then you cannot always secure expert or experienced foremen. One thing or another of that kind led us to centralize and we have but the one packing place. The Portland Packing Company pack all round the shores in separate places. Now we will take our friend Mr. Agnew who packs at North Cape. He is on record as having only one place while he virtually has as many places—not quite as many, as the Portland Packing Company, but as ourselves anyway—by having individuals who pack for him at these stations.

Q. All under separate licenses?—A. All under separate licenses. You can see how that works. Now, if you limit it to the present number of packers, those individuals who have the licenses may trade on that and turn them over to one. Then aside from that there are a number of small packers who run single places and own and operate them. I know of no place in Prince County, of no man in Prince County who takes up a license and does not operate it.

Q. Do you know of any good reason why a number of enterprising fishermen that can show they have the necessary means and are able to establish and run a cannery, should not be able to do so?—A. Not at all, they should have that privilege and any individual fisherman should have the privilege of opening a cannery if he feels he is not properly treated by the canner.

Q. Another question arises that perhaps you are interested in. Do you think that licenses should be granted to aliens?—A. That is a question that I feel rather delicate in treating; I am interested with aliens. But I would go this far, to say there are aliens here who have had an interest in this business for a great number of years.

Q. They were the pioneers in the lobster canning business were they not?—A. They were the pioneers and they have a vested interest that it would be very hard to meddle with.

Q. The reason I ask this question is because it is connected with another: Would we be allowed canning privileges in the United States?—A. I am not prepared to answer that question. Perhaps I had better go this far and say, that no new licenses should be granted to aliens.

Q. Do you think the number of boats or the amount of gear fished by canneries should be limited?—A. I think that is a matter that would be of no benefit whatever. You might limit the number of boats to every cannery but after all that matter will

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govern itself in this way: Fishermen and packers are all agreed that a certain amount of gear on a certain territory will catch all the fish that is there, and they may crowd in there for one year, but they will not repeat it the second.

Q. The complaint in some places is that large canners, by fishing their own boats and gear, have crowded out the individual fishermen off the ground?—A. Well, I have no experience in that respect other than this: In certain cases where men own their own gear the threat may be made to them: 'You come and fish for us and we will only put on a certain number of boats. If you won't do that, we will make it up with enough boats to cover the ground.' But I think that has never been enforced.

Q. Who fixes the price paid for lobsters?—A. Largely the canners. Every year previous to the present, the canner has been in the position of being able to contract ahead and he could estimate just about what it would be. For instance, you have the record of the previous year as to the number of pounds that it will take to make you a case. You base your estimate on that and then deal as generously as the spirit will prompt. But the fixing of the price is largely in the hands of the canners and their competitors.

Q. Is there competition in the matter?—A. There is sufficient competition to keep it right. I think in this vicinity, outside of this year, the fishermen have never had any great cause of complaint.

Q. Was the lower price this year due to the bad market conditions?—A. This year the canners have been squeezed pretty well. I think that would be the general evidence of the fishermen themselves.

Q. Is there anything further you would like to say?—A. I would like to impress on the department the importance of shortening the season. I do think it is of very great importance.

Q. And how about the size limit?—A. Now about the size limit. If you enforce the laws that are on record, you will close up every factory in this province. I will guarantee to take one factory—at our factory I would pack every lobster over 8 inches that is caught in the whole province. That regulation has never been enforced and it would be simply useless to try to enforce it.

Q. Do you think it would be impossible to enforce it?—A. I think it would be impossible. As to the matter of the trap. You touched on a subject there that I think is of some importance. Previous to the year 1907 our fishery here ran along very uniform for the last ten years—in fact there was scarcely a variation, and if anything the fish were increasing in size. Things were going along so comfortably that we thought we had a permanent industry that would continue. Well, the fishermen got on to building what they call the parlour trap, and, whether that is the case or not, the years 1907 and 1908 were the largest within the last ten.

Q. Do you mean that you had the largest pack?—A. The largest pack and the largest catch. I do not know whether that can be attributed, although some of us think it can, to the new method of fishing. With the old trap if you got to it every day, you would get fair average fishing. Now the fishermen are indifferent whether they get off every day or not; they expect to find the fish.

Q. Do you find that the parlour trap holds all the small lobsters?—A. It holds all the lobsters. With the old fashioned trap if it were left for two or three days until the bait disappeared, when you went to it you found the large lobsters there but the small ones were driven out. Moreover, formerly they had more uniform fishing and we take it for the reason they would not catch lobsters all the time. You put the parlour traps out and they fish up everything, it is all caught. Speaking of the laths being placed further apart to permit the small lobsters to escape, my opinion of that is, a portion would escape but not a large quantity; you would save some. And as Mr. McInnis said, I think you could better enforce the putting back of the spawn fish. The fishermen are inclined to do that and I think this year it was very well practised, there was very little difficulty. Of course the threat was given out in the spring that the fishery would be closely watched, and the packers generally I think

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told the fishermen they must observe the regulation and not bring in the spawn fish. Consequently there was no difficulty at all in having the fishermen do so. I think there is one point that perhaps the fishermen might give you a little information on and that is, I have understood that some of them take the spawn fish and keep them in the trap for a certain time until they drop their eggs or deposit the spawn. I have only heard it spoken of. We have heard of it this way, that fishermen have experimented in the matter themselves, have held a spawn lobster in the trap to see what would happen.

Q. Has the regulation in regard to berried lobsters ever been observed—A. It has never been observed until this year. I think I am safe in saying that the regulation was never observed in this province. Of course protecting the berried fish and shortening the season are the only feasible regulations you could now undertake, unless you close up the factories and that will next to ruin the whole outfit. Personally I think other methods could be resorted to.

Q. I do not think the fishery has reached that point of exhaustion when it is necessary to go so far as that?—A. Not at all if there are proper methods of protection. There is one other point I would like to have the department understand: they should have some means of educating both the canners and the fishermen with respect to the law. The education in this part of the country has been entirely the opposite.

Q. They have been encouraged to violate the law?—A. Yes. I think such a course of education will do no harm to any of us.

Q. Do you think if you could get the fishermen together and explain the importance of the berried lobster regulation it would be carried out?—A. Seventy-five per cent of the fishermen will do it and the remainder will do the opposite. Then the others say: 'I may as well do it as so and so.' Unfortunately about every fourth or fifth year a number of men are seeking votes and it is quite a vote catcher.

Q. Is there any opportunity here of adopting the system of pounds? Where it can be done the best means of preserving the berried lobster seems to be to take and place her in a pound where she will hatch out herself?—A. The only pound we have ever attempted here was in the manner of trying to hold them until they would be ready for packing and we always came to grief. That was on the outside shore. Here on this sandy beach anything you put there in the shape of pounds will stand up every storm, the kelp piles in and we have troubles of that kind. I think it an utter impossibility to do anything of the kind. A number of years ago the department thought they would do something in the way of small hatcheries. They sent out little incubators. We had one down and tried it for a spell anchored, but we never accomplished anything by it for that very reason: the storms would come and demolish anything that was in it. Cascumpeque bay is, I think, near enough for hatcheries and pounds, and the hatching of lobsters could be handled there very nicely. In Malpeque it is the same way; that is near enough for all practical purposes. I do think the department should take measures to look upon these places as the nurseries of the lobster fishermen.

Witness discharged.

MICHAEL LYNCH, fisherman, Tignish, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing?—A. About ten years.

Q. Have you always fished in this immediate section?—A. Yes, sir.

Q. What do you do when you are not lobster fishing?—A. I do a little at cod and mackerel fishing sometimes.

Q. How has the mackerel fishing been this season?—A. Very poor.

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Q. For whom did you fish lobsters this season?—A. The Portland Packing Co.

Q. Do you own your own gear?—A. Yes, sir.

Q. What amount of gear did you fish?—A. About 450 traps.

Q. Those traps are set in what depth of water?—A. From 13 fathoms in.

Q. What is the shoalest water you fish in?—A. About two fathoms.

Q. Do you fish entirely on the outer coast?—A. Yes, sir.

Q. What is the best time for your fishing?—A. The first of the season, as soon as we can get the traps out.

Q. You get a better run of fish?—A. Yes.

Q. A larger weight of fish?—A. A larger weight of fish.

Q. And a larger run of fish?—A. A larger run of fish.

Q. Is it your experience that towards the close of the season you are getting smaller fish?—A. Yes, they do run a little smaller.

Q. Do you think you get smaller fish in shoal water than you do in deep?—A. Yes.

Q. Are there certain bottoms where you find more fish than in other bottoms?—A. Yes, sir.

Q. Is the bottom all alike outside?—A. No, sir, there are different bottoms.

Q. What would you say is the average size of the fish you catch?—A. Taking big and small, between 9 and 10½ inches.

Q. What percentage of the fish you bring ashore would be under the legal size of 8 inches?—A. I would say one-third.

Q. Is there a greater proportion at one part of the season than another?—A. No, it generally runs that way right straight along.

Q. Do you fish throughout the season in the same depth of water?—A. No, we shift inshore.

Q. Do you find that the fish have passed you and gone inshore?—A. Yes.

Q. During the ten years you have been fishing have you noticed whether there is any decrease in your annual catch?—A. No, sir.

Q. Of course there are off years?—A. There are some years. This has been a poor year.

Q. To what do you attribute the poorness this year?—A. Well, the ice I think spoiled us this year.

Q. The ice remained very late?—A. Yes, it frightened the lobsters and they did not come in.

Q. Are the lobsters as large as when you first began to fish?—A. Yes, just about the same. I have never seen very much difference in them at all.

Q. Are you fishing the same amount of gear now that you did when you began, or have you increased your gear?—A. We have increased our gear.

Q. Was that with the view of keeping up your catch, or is it because you have become more expert and are able to fish more?—A. More because we have got more expert and are able to fish more.

Q. Has the total number of traps fished in the neighbourhood increased in your experience of the fishery?—A. Yes, it has.

Q. Will you venture to say by what amount?—A. They have increased one-half any way.

Q. Has it been to keep up your catch that the fishermen have had to increase the gear?—A. No, there are more people coming into the business.

Q. Do the majority of fishermen own their own boats and gear?—A. No, sir.

Q. Most of them fish with the factory outfit?—A. Yes.

Q. What do you think of requiring the fishermen to register and take out a license?—A. I think it is all right.

Q. Those who advance that proposition say they think if a man felt he was registered he would have more responsibility than he has now and would be a sort of fishery

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officer on his own account. Do you think that would be the effect?—A. Well, I don't know, I think it would.

Q. I do not see the object of compelling fishermen to take out a license unless it would have a good effect in some way or another. Do you think the average fisherman would care?—A. I don't think the fishermen would care as long as they got a decent price for their fish.

Mr. McINNIS.—What would this license cost?

The COMMISSIONER.—It would only be a nominal fee, it could not be very high.

By the Commissioner:

Q. What price did you receive for your lobsters this year?—A. \$2.50.

Q. How did that compare with last year?—A. It was \$1 less.

Q. The price went up last year did it not?—A. Yes, it went up last year. We got somewhere about \$3.50.

Q. When you first began to fish what price did you get?—A. \$1.50.

Q. You furnishing your own gear?—A. Yes.

Q. Do you think there is any competition in the matter, or are the fishermen forced to accept the price offered?—A. They are forced to accept the price offered.

Q. Are the regulations as regards berried lobsters and size limit observed in this neighbourhood?—A. Not until this year.

Q. This year they were observed as regards berried lobsters?—A. Yes, sir.

Q. Before that they were not?—A. No.

Q. Is there any fishing after the close of the season?—A. There is.

Q. Where is it done?—A. Along the coast.

Q. Outside as well as inside?—A. Yes.

Q. Has it been the practice, up to this year, to take to the factory everything caught?—A. Yes.

Q. Have you ever found a canner refuse to accept anything you brought him?—A. No, sir.

Q. Do you understand or admit the necessity for having regulations to govern the fishery?—A. No, sir. I do not see——

Q. Should there be no regulations at all; should fishermen do as they please?—A. I mean to have the season. The present regulations I think are pretty nearly all right.

Q. If they were enforced?—A. If they were enforced.

Q. Would you favour the idea of removing the size limit altogether and shortening the season?—A. I think it would be all right to shorten the season at the latter end, but not at the first end.

Q. Do you think there is any use attempting to enforce the regulation governing the size limit?—A. I don't think it.

Q. If it were withdrawn altogether where would the fishermen draw the line? How small a fish would you bring in?—A. Oh, well, the smallest I suppose would be about 6 inches.

Q. You think there would not be much coming in under that size?—A. No, I do not think it.

Q. You think that if the regulation as regards spawn lobsters were observed and the season shortened somewhat the fishery would improve?—A. I think so.

Q. What would you say is the proportion of berried lobsters in your catch?—A. They would be five or six to the hundred pounds.

Q. Is the number greater some times than at others?—A. I never saw any difference.

Q. The number is just about the same all through the season?—A. Yes.

Q. What is the smallest lobster you ever saw with berries?—A. About 8½ inches, somewhere along there.

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Q. What will the size of the spawn lobsters run generally?—A. 9½ inches.

Q. They are pretty good lobsters generally?—A. Yes, a fair sized lobster.

Q. Do you find more spawn lobsters inshore than offshore?—A. Yes, sometimes.

Q. Do you think there is any time when the lobster is unfit for food?—A. Well, I don't think, not to my knowledge.

Q. While the lobster is in the act of shedding its shell is it good?—A. At the time they are soft shelled I do not suppose they would be very good.

Q. Those lobsters would go all to pieces in the boiling, would they not?—A. Yes, I think so.

Q. What changes would you suggest in the regulation, putting it in your own words, or what would you suggest as the regulations to be enforced?—A. I do not see that a change would be very much good in the season or anything. I think it is all pretty well the way it is now except taking a little off the latter end of the season. Say we stopped fishing at the 1st of July.

Q. So as to protect the berried lobsters?—A. Yes.

Q. Have you any experience in the matter of hatcheries?—A. No, sir, I have not.

Q. Would you favour an increase in the number of hatcheries?—A. Oh, I would. I think hatcheries are a very good thing.

Q. How do you think we could best set to work to induce all the fishermen to return the berried lobsters to the water?—A. Well, I think the fishermen are commencing to realize pretty well that it should be done.

Q. You think there is a change of sentiment?—A. I think there is a change; I see a feeling in that direction.

Q. Are you aware of any fisherman having lost his catch of lobsters through the refusal of a canner to accept them?—A. No, sir.

Q. A number of people have suggested closing down the fishery altogether for a number of years; what do you think of that?—A. I don't think that would be a very good move, in this part of the country anyway.

Q. How would it affect the fishermen generally?—A. There would not be anything in fishing at all, they would have to leave it.

Q. Is there anything the fishermen can turn to?—A. Nothing in the way of fishing to make a living.

Q. The Lobster Commission of 1898 suggested closing down fishing for a term of years in successive sections along the coast; how would you regard that idea?—A. I don't think that would be a very good move. I think if the spawn fish were properly looked after and saved there would be no need of it.

Q. Would you favour issuing a license to every man who showed himself competent to pack?—A. I would.

Q. Do you think the practice of limiting the number of canning licenses is a fair and just one?—A. I don't think it.

Q. Would the fishermen here have any market for their lobsters if the canneries were closed?—A. No, I don't think it. We would not get enough large lobsters to ship for the live lobster trade.

Q. And I suppose you are rather far away from the market?—A. Yes, rather far away from the market.

Q. As between the two which do you think the most profitable industry for the fisherman, the live lobster trade or selling to the canner?—A. The live lobster trade if the lobsters could be got to the market.

Q. There are some sections of the coast where the live lobster trade only exists, that is where they are near the market and have facilities for shipment?—A. Yes.

Q. It has been said that in many districts no canner could continue in business if the law were strictly enforced regarding the size limit?—A. I believe that to be a fact.

Q. It has been alleged in some instances that the fishermen have suffered loss through the failure of those holding canning licenses to operate their factories; has anything of that kind occurred in this neighbourhood?—A. No, sir.

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Q. In some places, it would seem, canners have taken out a license in a certain section and not operated the factory. The fishermen in those districts could not get licenses themselves and have suffered loss?—A. Nothing of that kind has occurred here.

Q. Do you think there is any combination on the part of the packers to keep down the price?—A. I think there is.

Q. What are your reasons for thinking that?—A. Well they seem to co-operate and keep the price down.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. I think they would.

Q. How would you establish the competency of a fisherman to can? You would have to have some guarantee in issuing a license to a man that he has the necessary capital, knowledge, and so forth to put up the proper article. How should we govern ourselves in a matter of that kind?—A. It would be pretty hard to say. If he was a good practical man and had the means.

Q. He would have to have a cannery of a certain size?—A. Certainly.

Q. And fitted up to a certain standard?—A. Yes, and have fished successfully.

Q. The practice of the Department lately has been, wherever it was possible, to encourage the fishermen to group together and apply for a license to can on the co-operative plan; do you think that policy should be encouraged?—A. I think so.

Q. Is there any opportunity, as far as you know, of establishing pounds where berried lobsters could be held on the coast here?—A. I don't know of any place nearby except Alberton Harbour.

Q. Then as to the question of harbours, bays and lagoons, what do you think of allowing fishing in them?—A. I think that should not be allowed.

Q. Have the fishermen always fished in them?—A. I think they have.

Q. Are there many canneries established in among those lagoons?—A. Yes, quite a few.

Q. Any very large ones?—A. No very large ones.

Q. Do you think the lobsters go in there to spawn?—A. I do.

Q. Do you think the lobsters winter in those places?—A. There may be a few but not very many.

Q. What is the average depth of water there?—A. From three to four fathoms. On the flats there would be about a fathom of water.

Q. Is there eel grass everywhere?—A. Yes.

Q. Even in the channel?—A. Not in the channels, just along the flats.

Q. Has there been any noticeable decline in the average size of the lobsters caught here within your recollection?—A. No, I think they hold about the same.

Q. What do you think about having different seasons for fishing in neighbouring sections of the coast; for instance you have to the south of you here a section of the coast where they fish a different season from you?—A. I suppose they want to get a share of the fishing there as well as we do.

Q. Do you not think they get a larger share of small lobsters, immature fish that have escaped around the rear end of the Island and go in there, and that perhaps too many spawn fish are killed?—A. I think perhaps they do.

Q. It has been proposed by a leading expert in this country to have only two great sections of the Atlantic coast, north and south of Canso, the same season and size limit to apply to all alike. What is your opinion about that?—A. I don't know. I don't think that would suit everybody very well.

Q. But how would that proposition suit the lobsters, we are looking at it from the lobsters' point of view?—A. I could not answer that.

Q. Do you think it in the interest of the lobster fishing generally and the future of the industry, that immature and undersized lobsters which have not reached the age at which they could reproduce themselves should continue to be caught; must it not have a destructive effect upon the industry?—A. It certainly must.

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Q. Do you think that a larger percentage of lobsters is required in the fall than in the months of May and June to fill a pound can?—A. Yes, I think so. After the lobsters have shed their shell they are not so full.

Q. At what period of the season do you expect to make your best catch?—A. As soon as we can get our traps out.

Q. How would you regard the proposition to ignore the size limit altogether, protect the berried lobsters and shorten the season?—A. I think it a very good plan to protect the berried lobster and shorten the season at the last end, that is, take off the ten days in July.

Q. How about the size limit?—A. Leave the size limit where it is.

Q. Could you enforce such a regulation? There is no use having a regulation on the statute-book that cannot be enforced. Do you think it would be possible to continue the fishery and have the 8-inch limit?—A. I don't think so.

Q. What do you think of the present trap as compared with the old-fashioned one?—A. The present trap seems to hold the fish better.

Q. What do you think should be the right distance between the slats in the trap?—A. I think about an inch and a quarter, along there. This would permit a good many of the small lobsters to escape.

Q. You think a certain portion of the small lobsters would escape if that were done?—A. Yes.

Q. What sized lobsters would get out through an inch and a quarter?—A. A 7-inch lobster would make a hard fight.

Witness discharged.

Mr. McFADYEN recalled:—

By the Commissioner.

Q. There is one question I would like to ask you: Do you think there should be an inspection of canned lobster?—A. I think it is unnecessary, because the packers have been driven to adopt sanitary conditions for the protection of their pocket. You will find the factories very greatly improved in that respect within the past few years.

Q. We still see some factories that are not improved.—A. As I understand your question you mean that the Inspection Act should be enforced with reference to—

Q. With reference to canned lobster as well as other canned products.—A. In this province we have been rather opposed to the whole business of that inspection.

Q. But inspection of food products is the tendency of today.—A. To apply inspection to one thing will mean that it will be made applicable to all. The difficulty of that Inspection Act is that it affects us on other things, on the matter of meats which is a thing we are having a good deal of trouble over.

Q. Is there much meat canned here?—A. Not since the Inspection Act came into force ; we have kept out of it just on account of the inspection. There was a good deal of meat canning in this vicinity previous to that exposure in Chicago and we dropped it, not from reasons of putting up a bad article but the effect of the whole business of stock yarding on the consuming community resulted in the fact that there was no call for it. There has been considerable inquiry about that trade lately and of course if it was started up the Inspection Act would be enforced.

Q. There is a great difference in canneries and it would seem only right that some standard should be adopted. Many of the cracking tables and the tables on which the lobster meat is handled are not what they ought to be.—A. That is right.

Q. There is a standard cannery in my division at Anticosti, owned by Mr. Menier, where all the meat is handled on marble slabs, it is in every way a model cannery. It gives one a shock to go from a cannery of that kind into some of the places where

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we see rough tables of soft boards all chipped up, and not half scraped in a good many cases, and detect the sour odour. It must be impossible to put up a good product in a cannery of that kind?—A. That is right. The factories here have been using zinc on their tables.

Q. Do you think zinc is the best?—A. It is the best available unless you go to greater expense—that is galvanized iron or zinc. It is pretty thoroughly sanitary.

Q. Marble, glass or agate ware has been suggested. I know of canneries where they have nice tables of agate ware and they look very well. Whether such tables will stand the hard work is another matter.—A. The introduction of that would be equal to a restriction of licenses. The small packer would certainly be crowded out, he could not afford the expense. Of course it is up to the government to do the best they can in the matter.

Q. It is proposed to establish for the maritime provinces an advisory board something like the Fisheries Board they have in Scotland; what would you say to the establishment of such a board?—A. In that I am heart and soul with you. I believe it would be the salvation of many things in connection with the fisheries, and if the fisheries could be taken out of politics entirely it would be an elevating process.

Q. Would it be possible to get the fishermen together in the winter and explain to them the importance of observing the lobster regulations? The average fisherman seems to entertain the idea that regulations are carried out for the purpose of worrying him, which is manifestly absurd.—A. In connection with our dairying and farming that system has been of very great benefit; it has been a source of education. But all the same in the matter of the berried lobsters, when the announcement came from the department that the regulation must be observed, then it was up to the packers and fishermen combined to see that it was carried out.

Q. It rests very largely with the packer rather than with the fisherman?—A. I might mention a couple of instances we had in our experience last spring. We had no trouble with the exception of about two boats, and the fishermen in them said they would not carry out the regulation, that others were not observing it and they would not. Then we said: 'You will do it or the warden will be here to see you when you land.' That ended it; there was not a murmur for the rest of the season. I think that when the department's decision is reached it should be given to the fishermen as soon as possible so that they may know what they will have to face another year. The same with the packers.

Witness discharged.

Mr. McINNIS recalled:

By the Commissioner :

Q. Have you tried any experiments in keeping berried lobsters in the trap for the purpose of letting them hatch out the spawn?—A. I tried that this year. I had three in a trap but a storm came about a week after I had them there and the next time I went out the three lobsters were dead, they were killed in the trap.

Witness discharged.

Commission adjourned.

ALBERTON, July 30th, 1909.

Mr. J. E. L. HUNTER, manager, Alberton, called and sworn:—

By the Commissioner :

Q. Are you identified with the lobster industry?—A. Yes, I am manager for Hunter Bros.

Q. How long have you been engaged in the lobster business?—A. Four seasons as a packer.

Q. Did you do any fishing before that?—A. No, we had no connection with the business at all. Of course we had a general idea of it just the same.

Q. Where is your cannery situated?—A. At Kildare Cape.

Q. What other canneries are licensed in your neighbourhood?—A. There are fishing places scattered all along the shores where they boil fish and haul them to a central cannery. You have been at Tignish; there is Myrick's factory there. They have a boiling place immediately north of us. Then the Portland Packing Co. have a factory to the south of us. That is the nearest to us.

Q. What number of boats do you employ in connection with your cannery?—A. You want a sort of idea? There are some men we buy from. They are farmers and they just fish as such. I think I told Mr. Matheson, the inspector, about ten boats.

Q. Do you own your own boats and gear?—A. We run about 1,200 traps of our own.

Q. What would that represent?—A. Three boats.

Q. On what lay are those men that fish in your own boats?—A. By the hundred.

Q. And as to the men in the other boats how do you buy their fish?—A. We buy them by the hundred pounds.

Q. What is the difference between the price paid to the fishermen fishing your gear and that paid to the others fishing their own gear?—A. Of course that is a thing that every man does for himself. I pay the men that I buy from slightly more than twice as much as I give the men fishing by the hundred. If I gave the men fishing by the hundred \$1.25 I would probably give the other men—well this year I paid my own men \$1.30 and the other men \$2.75, a little more than twice the price.

Q. What about your pack this year?—A. About 300 cases.

Q. How does that compare with the other years you packed?—A. This year I had one-third more traps than I had last year and still we only got 300 cases. Last year I got 475 cases, so you will see that this year was a very poor season.

Q. What was your best year?—A. 1908.

Q. 1907 and 1908 were both good years here were they not?—A. 1907 was good but not nearly as good as last year. The first three years we had practically speaking the same amount of gear. This year we had more men with their own gear selling to us. The amount of our own gear has practically been the same from the start. There might have been a little increase in 1908, but very little. Our gear has been about the same right through and we get half as many fish.

Q. What number of lobsters do you consider it takes to fill a pound can?—A. There have been no measurements taken.

Q. How many lobsters does it take to make a hundred pounds?—A. They vary very much with us. We fish from four fathoms out to as deep as twelve and some-

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times you will get a batch of fish that will run very small. Another year, from that part of the ground there will be altogether different fish. I would not like to say for sure but I have an idea that the fish would average three-quarters of a pound in weight apiece, something in that neighbourhood.

Q. Could you not make a definite statement?—A. We expected a man to measure the lobsters but he did not come. I will tell you what I did for my own satisfaction. One day I was not busy and the foreman and I got talking about the size of lobsters. He said: 'If the government enforced an eight-inch limit it would put us out of business.' I said: 'There are not nearly as small fish in the lot as you imagine. When you come to straighten the fish out, a seven-inch lobster is small and a six-inch very small.' The foreman said: 'There are lots of them not five inches.' Well we measured the lobsters and there was a very odd fish that was less than seven inches in size.

Q. What proportion of the entire catch would you say is less than seven inches?—A. The difference between seven and eight will include a great many lobsters. There are a great many lobsters that will not go more than eight inches.

Q. What is your opinion as to that very question, would a strict enforcement of the size limit put the canner out of business?—A. Well it would make it very unpleasant. Still it might not put him out of business. It would be almost impossible to enforce it I think.

Q. What has been the practice in your district with regard to berried lobsters?—A. The general practice has been to can the berried lobsters; they are not protected at all.

Q. What do you think is the principal spawning month of the lobsters?—A. It varies on different parts of the coast. With us, where we are located, I would say the time when you see most berried lobsters would be from about the 1st to the 20th June. We see an awful lot then, but afterwards they seem to pass us. That is when you see the most.

Q. Do you see many berried lobsters of eight inches?—A. As small as that? No, sir.

Q. What is the smallest sized berried lobster you ever saw?—A. I don't think I ever saw any smaller than nine inches.

Q. How will the average of the berried lobsters run?—A. The average would run I think about nine inches. They are mostly pretty large.

Q. You fish from 4 fathoms to what depth?—A. Four to say 11. The fishermen do not very often go to 12.

Q. How far will 11 fathoms take you off shore?—A. I would imagine about 2½ miles.

Q. What sort of bottom have you out in that depth?—A. It varies. In some places it is sand and in other places hard rock. We try to get on the ledges, it is ledges and sand.

Q. When you first begin in the spring do you find the lobsters running any larger than late in the season?—A. Well the other three years we did, and this we did not. This was a peculiar season. I think the ice and local conditions had something to do with it. The first catch of lobsters were smaller. I have fishermen who have been fishing for 25 years and when they saw the first catch they were disgusted, they thought it was going to be a poor season. I don't know whether it was imagination or not. The lobsters were better about the middle of the season.

Q. Which is the best fishing month?—A. About May.

Q. At what time do you generally begin to fish here?—A. That is the moment when we actually catch the fish?

Q. When do you make your first pack?—A. It is very rarely we pack fish before the 1st of May, sometimes the 28th or 29th of April. The ice controls that generally. The 20th April season is early.

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Q. What percentage of the lobsters taken in the traps bear eggs; out of every hundred how many lobsters bear eggs on the average?—A. I could hardly say. I would imagine there would not be over 3 or 4 per cent by count. What would that be; about what other men say?

Q. In some places they give us a little more. A. Well, as I say, I could not speak definitely on that.

Q. Some say as high as 5 or 6 per cent. A. It may be that, I could not say.

Q. Does the number vary much with different parts of the season?—A. Yes.

Q. As a rule they are good lobsters for canning purposes, full of meat?—A. Except at first. They are not good at first.

Q. What would happen if the canner absolutely refused to accept from the fisherman undersized and berried lobsters?—A. That is a pretty hard question to answer. That is you mean the 8-inch limit?

Q. Yes—A. I believe if those two regulations were enforced absolutely, that is if the men knew that they were absolute, I believe it would be pretty hard to get good fishermen to go out; they would be afraid. Personally I don't think it would make so much difference but you know that class of men imagine it would.

Q. Is the practice of stripping off the berries from the female lobsters followed by the fishermen?—A. It is a thing I would not care to say very much about. I do not know except from hearsay and that is not very good evidence. I know one or two cases where it has been done but the fishermen never tried it this year because they never had to.

Q. Can you tell when the lobsters come in whether the eggs have been stripped off?—A. No, sir, it is a very difficult thing to detect. There were two or three cases this year where I saw a lobster and I challenged the man who brought it in. I said: 'You stripped that lobster.' He said: 'I did not, the tail was soft.' If you do not happen to take the lobster in your hands it is very hard to detect, because sometimes you will find a lobster that has run up against another and there are some eggs on them. I have found eggs on the male lobster. Mr. Matheson told us if we had one berried lobster in a box of lobsters it would mean a fine. I found several eggs on a male lobster but I would hardly say that lobster had been washed.

Q. Do you think the fishermen could be induced to return the berried lobsters to the water?—A. Some could and some could not. They won't return the berried lobsters to the water if they think they can get clear of them. If the fishermen will not return the berried lobsters to the trap it makes very little difference afterwards whether those lobsters are canned or not, they will die. There were lobsters returned by me at different times which men had brought ashore. I would say: 'Take these lobsters out.' I was satisfied at the same time that these lobsters would all die but what could I do? If I saw them and anybody happened to come around I could not say I had not seen them; I had to send them out. But I knew they would die; the fishermen chucked them out in the warm water near the shore.

Q. Failing any possibility of enforcing the size limit regulation, what would you think of the proposition to do away with the size limit and shorten the season somewhat, of course always protecting the berried lobster? Could we be more strict in carrying out such a regulation than we have been with the present ones?—A. On our part of the coast it would make little or no difference to us if the season ended 1st July, practically no difference. That is my experience.

Q. You do not do much fishing after that date?—A. We do not any more than pay expenses one year with another. This year I had the place shut down and was home at my own house on the 10th July. But there is a great difference of opinion about the first part of the season and some are greatly in favour of having that shortened. Personally I am not, that is not to shorten it till the 1st of May. This year they shortened the season to the 26th April. That date is probably reasonable because we do not run lines on the 20th April one year out of ten. But there is this reason, and

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nearly every man will tell you the same who has been running on this north side where we have it pretty rough: That immediately after the ice leaves, nine years out of ten or perhaps more, we have three or four days of good off shore wind. That is after the ice leaves. Then there are good times. After that we get easterly weather and we cannot put the lines out but still you can fish.

Q. What reason is there for putting any limit to the spring season, why not begin to fish when you can?—A. It won't do at all. Some foolish fellow would start about the middle of March and we would be practically out a month before the season commenced; it would be a needless expense.

Q. That is not a matter that the government need have anything to do with?—A. It is not a hardship to the government to make a reasonable limit to the fishing season. It just amounts to this: There are a lot of the fishermen want to get to the shore just as soon as ever they can to get the ground. As long as they get the ground they are not particular whether they work or not. Some would like to get out the 1st of March if you are foolish enough to let them.

Q. But supposing the canner is not ready to pack?—A. They will want to go all the same. There may be an odd year when you would have to go a fortnight sooner and waste your time nine years out of ten. I would not be in favour of making the opening any earlier and of the two I would make it later.

Q. That affects the canner and the fisherman. It does not affect the fish, the fish are there?—A. No, sir, the fish are not there on our shore.

Q. Then there is no object in the fishermen getting out so early unless they want to lose their gear. It does not seem to me any part of the duty of the department to look after that?—A. That is true but there is always some crack-brained individual who is foolish enough to take unnecessary risks if he can get the chance. It only makes it the harder for other people. I don't think you will find any who want to make the season any earlier. You spoke of taking it off altogether.

Q. The proposition has been advanced to make one general season for the whole of the interior Gulf, that is to say, to fish from the 1st January until the 1st or 10th July?—A. Of course it would be as fair for one as the other and, as I say, nine years out of ten the ice fixes that anyway.

Q. Has there been any noticeable decline in the average size of the lobsters within your experience, are they getting smaller?—A. No, not since we went there. We thought this year they were going to be a lot worse but they were not. At the last end of the season we were getting good large fish, as good as I ever saw.

Q. What number of cases will an average fisherman turn out?—A. They will run all the way from 40 to 100. I had two boats last year that packed very nearly 100 cases. Taking the same two boats this year with the same two crews and the same number of traps, one packed, I suppose, about 50 cases and the other about 45. There is just the difference.

Q. What style of trap do you use here?—A. We use the parlour trap as we call it.

Q. Why was the parlour trap brought into use, what are you supposed to gain by it?—A. Well, it holds the fish in stormy weather and over Sundays.

Q. What distance are your slats put apart?—A. About an inch or seven-eighths of an inch.

Q. Would anything be gained by having the slats a little farther apart?—A. I think possibly there would. It would be about the same thing as putting on a size limit. It would govern the fishing in an easier way but would probably have the same result.

Q. Has it been the practice here for the canner to take everything the fisherman brought him?—A. Regardless of size?

Q. Regardless of size or up to this year even with the berries on?—A. Up to this year, yes.

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Q. What would you think of the proposal to abolish the size limit altogether and to regulate the trap so that it would be made with a reasonable opening between the slats? What would be a reasonable opening, an inch and a quarter?—A. I think, an inch and a quarter would be too large. I do not know, I would not like to say what effect that would have. That is another thing that is pretty hard to enforce, perhaps as hard as the size of the fish. The fisherman might do a little lathing outside on a lot of their traps.

Q. That matter would have to be looked into. Any regulations that are proposed for the future you may be sure will be strictly enforced. There has been no attempt in a great many places to enforce the regulations for several years back?—A. No, and there was not this year.

Q. What would you think of compelling the fishermen to register and take out a license? Do you think a fisherman who had registered and taken out a license would be any more careful if he understood that a violation of the law would mean prohibition from fishing lobsters in the future?—A. What difference would the license make? You could, if you caught him, take his name down and rule him out just the same whether he was licensed or not.

Q. Not very well. If we insist upon every lobster fisherman taking out a license those who have no license will not be allowed to fish lobsters.—A. That is those fishing by the hundred lobsters, those who own their own gear?

Q. It is only a proposition, it has been thought that it would be a good idea to license the fishermen as well as the packer?—A. I don't know as to that.

Q. Some people seem to think the fisherman who has a license would take greater interest in the observance of the law.—A. There are all sorts of people I think. The trouble with these fishermen is that one year a man fishes and the next year he does not. They are a floating class.

Q. Are the men regular fishermen who fish for cod and mackerel as soon as the lobster season closes, or are they farmers?—A. Some of them follow the business up more or less but a great many of them do not. A great many are farmers who get somebody to put in a bit of a crop for them and then when the lobster season is over go back to the farm. Some of them merely fish lobsters and are labourers until they get a chance to fish oysters. There are very few real fishermen who follow the business up all the time. In certain places they are. On this shore mackerel and cod fishing is a very poor business and many of the fishermen do not follow up fishing. A great many of them come from the farm.

Q. Do you think it is wise to restrict the number of licenses to can, or would you give a license to every man that applied for it?—A. Well it is pretty hard to say. Sometimes it appears to be a hardship for a man not to be able to get a license, and sometimes I think it is the best thing that ever happened to him that he did not get one, because when the industry is good so many people have a tendency to rush into it. Then there comes a year like this and they would be sorry for it. But still, after all, what is the difference? The license system might as well be abolished from the way it has been here latterly. If you counted the traps four years ago and counted them this year in the same two miles of water, you will find there is one-third more gear now, and some of the packers have not increased one. Another thing, it is pretty hard to restrict those outside men fishing their own gear. What are you going to do with them? I am speaking of fish protection. What I mean is this: The license does not prevent any independent man at all from putting out as many traps as he feels like. There is just what I was telling you. We had ten boats this year, whereas we only had seven or eight last year. There were two men came to me this year.

Q. What do you understand by a co-operative license?—A. I am told it is a license that entitles a certain number of fishermen, who cannot find any place to sell their fish, to can, and they are supposed to share the profits and losses. That is what I understand the government mean by a co-operative license.

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Q. I believe the department, so far as they have instructed me, are encouraging that sort of thing. The idea is not to sell out one license in exchange for another, but that a number of enterprising young fishermen, who thought they saw an opportunity to club together to go into the canning business, should be encouraged to do so. That is legitimate enough.—A. There are lots of things done that should not be done.

Q. Would you limit the number of boats fished by any particular cannery?—A. If the gear was owned by the canner you could restrict it. There is a man here named Mr. Agnew who made a proposition to me the other day. He said: 'Look here. We want to get the government to restrict the gear and make it so that a man should put out 3,000 traps this year and only 2,000 next year.' 'Do you think it would be right?' I inquired. 'Yes,' he said, 'I do.' I said: 'We will say a man has 1,000 traps of his own, and is buying from 2,000 traps. If they are going to restrict him next year what is he going to do? Is he to put all his own gear on the shore or tell the other man, 'I cannot buy from you this year you will have to look elsewhere.'

Q. What do you think of the proposition to close down for a number of years? That has been suggested with a view of protecting the lobsters.—A. It would be very hard, and I don't think it could be any lasting good.

Q. Do you not think if the fishing were stopped for a while the lobsters would recuperate in the meantime?—A. Well they would certainly, but there is a simpler way of doing it than that.

Q. What is your proposition?—A. I mean it would be a great hardship. There are an awful lot of men dependent on lobster fishing. They make perhaps \$150 out of it, and they have nothing else. Some of the packers could get along perhaps and some could not. For men right here, lobster fishing is their only way of making a living at the present time. If shut out from that fishing for two or three years they would have to look out for something else, and then at the end of that time they would need to start up again.

Q. Then what change would you suggest, what is your idea of the proper regulations to enforce in order to protect the lobster industry?—A. A great many other men will say my opinion is prejudiced, but if the bay fishing were stopped you need no other regulation than protecting the spawn. What I suggest is to protect the spawn and shut off the bay fishing.

Q. What do you understand by bay fishing?—A. I mean fishing inside the mouths of harbours.

Q. How would you restrict bay fishing?—A. Would that shut off such a place as the Baie des Chaleurs?

Q. No.—A. Well that is a different thing.

Q. I mean the lagoons inside sand banks, the natural breeding grounds of the lobster?—A. I mean the places inside the sand hills, they are inshore places altogether.

Q. Do you think those are places where the lobster go to spawn?—A. I think that is the objective point of every berried lobster although she does not always get there. Is not that your opinion? I believe that if the bay fishing had never been allowed to start on the island here you would not have needed it. That would have regulated the size limit as well as anything else.

Q. You would have to shut down all the canneries in those places would you not?—A. I would give them a chance to fish the outside shore and take pot luck with all the rest. There are a great number in Richmond bay and places like that. I don't want to insinuate to put those men out of business and leave us intact, but you asked me what would be needed to recuperate the fishery and I think that would do it.

Q. Have the fishermen always fished in those bays or was fishing confined to the offshore waters at first?—A. I could not say. It is a long time now since the fishery started. I know a good many men have been fishing in the bays for a good number of years.

Q. Do you think the product of the canneries should be inspected? The tendency of the day is to inspect all food products that are being canned, such as vegetables,

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fruit and so on; is there any reason why the lobster packer should be exempt from the same inspection?—A. Well I hardly think it is necessary with the lobster because as far as I know no one attempts to add anything to the can in the way of preservatives. Certainly it is not the custom here, and as far as the quality goes I think every packer for his own interest tries to put up the fish as good as he can. You mean of course just inspecting the fish itself?

Q. Inspecting the lobsters themselves, the way in which the meat is put on the table, and is prepared, and the manner in which it goes into the tins?—A. It may be a good idea perhaps to inspect the condition of the factories a little.

Q. That is the reason I asked the question because we have seen a good many canneries where things were not as they should be; the tables were not kept properly cleaned and were unprotected. Where you have a softwood table used throughout the whole season it is cut up and the meat of the lobsters that are broken and handled on it does not appear to be as clean as it should be.—A. I daresay there are some places in that condition except some of the modern factories; they are a credit now.

Q. Are you aware of any complaints made by fishermen that the price paid by the canners is not satisfactory?—A. Oh well they are always trying to get what they can.

Q. Is there any combination on the part of the packers to keep down the price paid to the fishermen?—A. Not that I know of. There may be certain ones put their heads together, but different men pay different prices.

Q. They do?—A. Certainly.

Q. Then who fixes the price to the fishermen?—A. Every packer fixes his own price as far as I am aware. I think there is a little understanding among some. My own opinion is the fishermen have been in the habit of getting pretty nearly as much as they should except, perhaps, in some cases. This year I think some of the canners cut them down a little. As a rule I think the fishermen gets all the business will stand.

Q. Have you ever heard of a fisherman losing his pack of lobsters because the canner refused to accept them?—A. Not in our district certainly. You mean in the case of a rush that the fisherman could not get a cannery to sell to?

Q. There have been instances where the canners, in order to compel the fishermen to accept a lower price, have refused to accept their lobsters?—A. I have never known it to occur here.

Q. What would the fishermen do in this district if the canneries were closed?—A. Some of them of course could live on their farms, but I think it is safe to say a good many of them would be almost forced to leave the country and look for something else. The canneries give employment directly and indirectly to a great many people.

Q. Is there any opportunity here for carrying on the live lobster trade?—A. That is shipping them in ice?

Q. Shipping them alive in ice or in whatever manner it can be managed?—A. I understand one or two men have tried it but they did not appear to be able to make a success of it. There were no proper facilities for shipping and they were too far from the market.

Q. Where it can be done do you think it offers a more profitable market for lobsters than the canning does?—A. I could not say, I have never had any statistics on that at all.

Q. Would you be in favour of an increase in the number of lobster hatcheries?—A. Well, the general opinion among the fishermen here is that nature has provided us with a hatchery if the fish were protected in it.

Q. In the shape of lagoons do you mean? Have you any knowledge as to whether there are places in this neighbourhood that could be used as pounds? In some places, like the State of Maine and Cape Breton, the berried lobsters are bought from the

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fishermen and held in pounds until they have spawned and then are liberated. Do the conditions for that sort of thing exist here?—A. I am not acquainted with any place that would be suitable.

Q. Is there any other matter connected with the inquiry that you would like to express an opinion about?—A. I will tell you what occurred to me when you were speaking of trying to enforce the berried lobster regulation, to preserve the berried lobsters. I think it is rather unfair to throw the whole brunt of the enforcement of this regulation on the packer, because there may be times when it is almost impossible for him to see those lobsters and still if the officer who comes round is inclined to be strict and finds one or two he may fine him pretty heavily, whereas in reality the canner might be acting pretty conscientiously as well as he is able. It is a pretty serious thing for a man to lose all his time overhauling the lobsters. It struck me that the easiest and most satisfactory way to enforce the regulation instead of putting the whole business on the packer, would be, seeing that the gasoline boats are working so good, to put a patrol boat on the coast—to every 25 miles of coast, perhaps less, I am not prepared to say—and let her cruise around. Have a large boat, or two, on the north side and let them keep jogging around without any specified hours of patrol and have men in them that know the business thoroughly. In that way you could protect the berried lobster thoroughly. In no other way can you put fear into the fishermen. The fisherman has no fear as long as he can pass the berried lobsters on the packers. The penalty is not on him once the berried lobsters are landed at the factory. Then they are out of his hands, they are not in his possession.

Witness discharged.

ALBERTON, July 31, 1909.

Mr. M. A. MACNEILL, packer, Alberton, called and sworn:—

By the Commissioner :

Q. How long have you been engaged in the lobster packing business?—A. 26 years.

Q. How many canneries do you operate?—A. Just the one.

Q. How many boats do you employ?—A. Five.

Q. Do you furnish the complete outfit of boats and gear for those boats?—A. To three boats. I buy from two.

Q. Those boats are fishing by the hundred?—A. Yes.

Q. And you buy the product of two boats?—A. Buy the product of two boats, two extra boats.

Q. What number of hands do you employ afloat, two men to a boat?—A. Yes, two men to a boat.

Q. And in the cannery how many hands do you employ?—A. Thirteen to fourteen. That is boys, girls and men.

Q. What did you pack this year?—A. Three hundred cases.

Q. And last year?—A. Four hundred.

Q. What is the best pack you ever made there?—A. Five hundred and forty cases.

Q. When was that made?—A. Five or six years ago. We had a larger outfit at that time.

Q. Did you fish more boats then?—A. I fished more boats at the time we packed the 540 cases and I bought from what we call the Bay. Now we carry on the fishing outside altogether.

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Q. You have abandoned the Bay?—A. We have abandoned it.

Q. Why did you abandon it?—A. Simply because it was a little too far for me to bring the fish in hot weather.

Q. Is there any difference in quality and size between the Bay fish and those outside?—A. Yes, sir.

Q. In what way?—A. They are all small fish in the Bay; you get no large fish in the Bay. Of course you get a very odd one but they are all under 9 inches in the Bay.

Q. In what depth of water do your outside boats fish?—A. From 7 to 10 fathoms.

Q. How far would that take them off shore?—A. One mile and a half.

Q. What is the average number of traps they fish per boat?—A. Four hundred to a boat, double boats.

Q. Do the fishermen remain fishing on the same ground all through the season, or do they move in?—A. They shift round considerable you know. They move in sometimes to three fathoms of water, three, three and a quarter and four fathoms, nothing shoaler. That is later in the season.

Q. As the season advances they move in?—A. Yes, sir.

Q. Are you fishing a larger number of traps than you fished when you first began?—A. No we started with about the same number I guess.

Q. 26 years ago?—A. Yes, 26 years ago.

Q. Where there as many canneries on the coast as there are now?—A. No, sir.

Q. Who were the canners operating then?—A. Just along our shore there were three of us where now there are six.

Q. Were the Myricks, the Portland Packing Co., Mr. Agnew and the others operating then?—A. The Myricks, Agnew and the Portland Packing Co. were not here then.

Q. Were they not fishing at this end of the island at all?—A. No, they were not fishing.

Q. Do the fishermen generally along this shore own the boats and gear, or is most of the gear owned by the canneries?—A. Most of it is owned by the canneries, although I think probably within the last year there may be one-third of it owned by the men who have their own boats.

Q. Has the tendency been that more gear is owned by the fishermen and less by the packer?—A. Yes, that has been the tendency.

Q. Would that indicate an improved condition on the part of the fisherman, because as a rule when we find him owning his own gear he is more substantial?—A. The result of it is they think they can make more money. As far as I am concerned I would just as soon pack every fish, if they would supply me, as I would furnish the gear.

Q. From your experience what is the best fishing season?—A. May and June are our best months along this shore.

Q. Do you find the lobsters run pretty much the same size all through the season?—A. They get smaller along in July, I find.

Q. Would you say that on the whole they get smaller as you approach the shore and that you have larger and better lobsters in the early season?—A. Oh yes, they are certainly smaller inshore, there is no doubt about that, although the first time you set your gear inshore—the first day or two—you will get probably as large fish as you will get outside.

Q. But it peters out?—A. It peters out.

Q. Do you think the lobsters as a rule approach the shore for the purpose of spawning?—A. That is a pretty hard thing to settle but I think they do.

Q. Do you think there would be any advantage in keeping the lobster fishermen to a certain depth of water? In certain places they fish in very shoal water, into a fathom, and I think the experience is that when they do that they catch an inferior proportion of fish?—A. Yes they do. I have taken notice with regard to that. There is along our shore an outside bar. Between those two bars the water is about two

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fathoms in depth and I have noticed you will hear tell of them catching lobsters in the channels, harbours and bays very plentifully. The next day or so you will catch them if you set traps in this two fathoms the same size right along coming out of this channel.

Q. In the early days of the fishery did the fishermen fish in these bays and lagoons?—A. No, sir.

Q. The fishery was confined to the outside water?—A. Yes. I suppose it was about 10 or 12 years since they began to fish in the Bay.

Q. At what period of that fishery do you find the largest run of female lobsters with berries extruded?—A. The first part of July and the latter part of June.

Q. What is the smallest female lobster you ever saw carrying eggs?—A. They are 10 to 12-inch lobsters and larger.

Q. That is the general run?—A. Yes, sir.

Q. As a general thing they are good sized lobsters?—A. Good large lobsters.

Q. And well filled?—A. Yes. I heard of one being caught this year $8\frac{1}{2}$ or 9 inches in size, a berried lobster, I think. I did not see it but Mr. Matheson told me he had found one in measuring some of the fish.

Q. Is there any part of the season when lobsters are not fit for food purposes?—A. Yes, I think so. Of course we have not fished them in that time on the north side, but on the south side they have fished when they are not fit, when they are shelling.

Q. Do you not find them shelling during the season you fish?—A. I think they shell after we are done here. We get a very odd one on the north side.

Q. Out of every 100 fish caught what percentage would be female lobsters carrying eggs?—A. I would not like to answer that question; there would not be a great many.

Q. The percentage is not very large. At least half the lobsters are males and of the female lobsters only a certain percentage have the eggs outside?—A. Some days you get a good quantity.

Q. Are there certain seasons when the berried lobsters are more numerous than others?—A. There are certain seasons when they are more numerous than others.

Q. Do they seem to come in runs or schools?—A. That is what they seem to come in.

Q. From your observation have you formed any opinion as to whether the lobster spawns every year, twice a year or only once in two years?—A. No, I have not, sir.

Q. Do you ever fish in the the fall here at any time?—A. No, sir.

Q. Is the practice of stripping or washing off the berries from the female lobster followed by the fishermen here?—A. I have heard tell of it.

Q. Would it be easy to tell when the lobsters are brought ashore whether they had been stripped?—A. It is pretty hard to tell without a very close examination. Of course a man could tell but he is not supposed to go over—

Q. Have the regulations on this part of the coast ever been strictly observed? Of course the regulations are that berried and undersized lobsters should not be taken. What is the size limit here? Some of the fishermen at Tignish told us there never was a size limit?—A. There was a size limit at one time, but it was never carried out.

Q. It was 9 inches at the beginning and afterwards reduced to 8 inches. What has been the practice here with regard to berried lobsters, have they always been taken?—A. Yes, they have always been taken up to this year.

Q. Was there any attempt made this year to stop the taking of them?—A. I think there was an attempt made this year. With several there was. I know we did.

Q. Do you think there is any general feeling on the part of the fishermen that it is a mistake to destroy the berried lobsters?—A. Yes. .

Q. Are they beginning to appreciate the fact, do you think?—A. I think so. I think that law is quite easily observed, easier than any other part of the regulations I think. I would blame the packers more than the fishermen if it is not observed.

Q. What would happen if the packer absolutely refused to accept berried lobsters, do you think the fishermen would put them back in the water?—A. Yes, certainly they would.

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Q. Or would most of the berried lobsters be stripped outside?—A. I think you would find an odd fisherman that would do that. I think there would be an odd man that would attempt that kind of thing.

Q. Have the canners ever made any scruple about accepting berried lobsters in the past?—A. No, sir.

Q. The practice has always been to take them within your recollection?—A. Yes, sir.

Q. From the beginning?—A. From the beginning.

Q. What do you think would be the best means of inducing the fishermen to return the berried lobsters to the water?—A. I suppose the best thing would be to pay the fishermen for them probably and then they would be sure to. But I think, as far as I am concerned, if every fisherman is educated up to the matter, that it is necessary in the interest of the fishery upon which he has to depend for a living, it will be quite easy to get him to understand its importance.

Q. Do you think there would be any use in getting the fishermen together and explaining to them thoroughly the importance of observing the regulation?—A. I think perhaps it would.

Q. You know the Department of Agriculture has been in the habit of getting the farmers together and explaining to them the merit of certain crops, a certain style of tillage and so forth. Do you think the same thing might be followed in the case of the fishermen with good results?—A. I think it might indeed.

Q. What proportion of the lobsters taken do you think would be below the legal size limit of 8 inches?—A. I think it is a very small proportion, on the north side here anyway.

Q. And among the outside fishermen?—A. Yes.

Q. Do you think there is a larger proportion of undersized lobsters taken in the shoal waters and in the lagoons?—A. Oh, yes, there are.

Q. Do you think there is a large proportion of berried lobsters taken in lagoons?—A. Inshore?

Q. Yes?—A. No, I do not know that there are any larger than there are outside.

Q. What effect would it have upon the canners to strictly enforce the law with regard to undersized and berried lobsters? You see it has been stated in the evidence already given that it would mean the absolute closing down of the canneries; is that your opinion, too?—A. Oh, well, I don't know.

Q. Taking your own individual case, do you think you could continue canning if the regulations were strictly observed?—A. Well, I think so on our shore. But still, of course, I have noticed they have been getting smaller in the last few years. That is the fish do not turn out per hundred as well in the past two years as in former years.

Q. Could you give us any opinion as to the number of lobsters it takes to make a hundred pounds here? How many lobsters will it take on an average to fill a pound can?—A. It takes along between 6 and 7 to make a pound of meat, about 6.

Q. We find by actual measurement that it takes 9 seven-inch lobsters to fill a pound can?—A. I dare say it would. To a thousand count we can put up three cases. That is on an average for the whole summer run.

Q. To what do you attribute the decline in the size of the lobsters?—A. Well, I don't know. I suppose it is that they have not really had time to grow. There are so many after them and so much gear.

Q. Have you any idea when lobster canning first began in this neighbourhood?—A. Mr. Bell can answer that question pretty fair.

Mr. BELL.—About 1875. Keefe began about two years before that.

By the Commissioner:

Q. Has there been a noticeable decline in the average size of the lobsters within the last ten years?—A. Yes, there has been a small decline.

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Q. When did the most serious decline take place, before that?—A. That is in size?

Q. Yes?—A. No, since then.

Q. Since the last ten years?—A. Yes.

Q. What were the regulations when you first began packing?—A. None at all. There were no regulations regarding size limit, berried fish or anything of that kind.

Q. What were the regulations that were first introduced?—A. The first introduced was that the bottom lath of your trap should be an inch and a quarter.

Q. And then a limit was put to the fishing season?—A. Had we a close season then?

Mr. BELL.—The 15th of August. That was a good while before the regulation as to the space between the laths came into force.

Mr. MACNEILL.—We had the whole of July at one time, did we not?

Mr. BELL.—To the 15th of August.

By the Commissioner:

Q. Do you think that different size limits and different seasons in adjoining sections of the coast are unsatisfactory and encourage violations of the law? There are some parts of the coast which adjoin where they have different size limits and different open seasons; do you think there is any reason for that?—A. We have that on this island, too; a different time in the north and on the south it is different.

Q. Was there any necessity for that?—A. Well, I think those who operate on the south side wish now they were back to their old season. I understand that, don't you, Mr. Bell?

Mr. BELL.—Well, in some sections they are getting the best fishing now; they are getting the heaviest fish.

The COMMISSIONER.—Have you ever fished on the south side?

Mr. BELL.—I fished one season.

The COMMISSIONER.—We have been all along northern New Brunswick and the southern shore, and from the evidence we gathered and what we saw ourselves, the bulk of their fishing only begins after the fishing has stopped at either end.

Mr. BELL.—That is a remarkable thing; that is a puzzle.

The COMMISSIONER.—I should think there is very little doubt the lobsters retire from the centre of the straits in winter towards the end of the island, and they move in again and they only catch them when they get there.

Mr. BELL.—Those fish appear to be a different species altogether. In the first of the season when they put out their traps they get scarcely any at all, but they get them off shore. Then the latter part of the season they move out. If it is the opposite with us. We move in as the season advances.

By the Commissioner:

Q. Do you think it is in the interest of the lobster fishery that lobsters should be taken before they have reached maturity or the age when reproduction takes place?—A. No, I do not think so.

Q. The undersized lobsters that are taken have undoubtedly not reached maturity?—A. Sure.

Q. Are you fishing the same traps now as when you began?—A. No, sir, there is a difference in the traps now, in some of them; some operate with a different kind of trap.

Q. Is the parlour trap in very general use now?—A. It is on our shore now.

Q. What is supposed to be the merit of the parlour trap?—A. It holds the fish better in stormy weather.

Q. Are the slats kept as far apart to-day as when you first began to make traps?—A. Yes, sir, about the same, I think.

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Q. What is the space between the slats now?—A. The bottom laths are always an inch and the rest are in the vicinity of about three-quarters of an inch.

Q. Were the slats always put as close together as that?—A. Yes, sir, always.

Q. Do you think that any increase of the space between the slats would have the effect of allowing the undersized lobsters to escape?—A. Yes it certainly would, especially in the bottom laths. I don't know that it makes any difference about the others, but in the case of the bottom laths I think it would.

Q. Would making the space between the slats larger be one way of allowing a greater number of immature fish to escape?—A. Yes, certainly it would.

Q. Could a size limit of 10½ inches be maintained on this coast without detriment to the lobster fishery?—A. I don't think so.

Q. Are there any facilities here for carrying on the live lobster trade?—A. No, sir.

Q. Has it ever been attempted here?—A. Not on the Island I guess.

Mr. BELL.—Oh yes, the year before last.

The WITNESS.—Yes, I believe so.

Mr. BELL.—They made quite a number of shipments and successful ones too. It happened to be a cool season.

The COMMISSIONER.—Still on the whole the facilities don't exist here?

Mr. BELL.—No, sir.

By the Commissioner:

Q. Where it can be carried on do you think the live lobster industry is the most profitable one for the fishermen?—A. I don't know, sir, I am sure.

Q. Where the live lobster trade exists, the price the fisherman obtains for lobsters is very much greater. Of course they require larger lobsters?—A. Yes, far larger lobsters. Nothing under 9-inch lobsters will do for that business.

Q. What would you think of a new regulation which would do away with the size limit altogether, but shorten the season somewhat?—A. To shorten the season, I think, would be probably the best way out of it.

Q. The regulation concerning the size limit is a very difficult one to enforce apparently?—A. Yes, I know.

Q. What would you think of doing away with the size limit, increasing the opening between the slats of the trap so as to allow a larger percentage of small lobsters to escape, and closing the season on the 1st of July instead of the 10th; how would that affect the fishermen and packers generally?—A. I think it would be satisfactory, sir, in this part.

Q. Do you think that would be the means of improving the industry and saving it?—A. I think it really would.

Q. Other people have proposed closing down altogether for a term of years, what would you think of that?—A. I would not think very much of that.

Q. The Lobster Commission of 1898 reported in favour of closing down certain sections for a number of years and moving on in rotation all around the coast in the same way; what would you think of that?—A. Well, that might work probably a little better, but I would think the shortening of the season would work better than all.

Q. Of course in any event there would have to be a strict protection of the berried lobster?—A. Yes, a strict protection of the berried lobster. I think if the berried lobster law is observed and the season shortened there will be no lack of lobsters. I think that would save the industry.

Q. Is it the case to your knowledge that the canners are compelled to accept undersized and berried lobsters for fear of losing their men?—A. I don't think so.

Q. It has been stated by some canners that they must accept undersized and

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berried lobsters because if they did not do so they would lose their fishermen who would go to other canners less scrupulous?—A. I don't think so.

Q. It has also been suggested that for the better control of the lobster fishery, fishermen should be required to register and take out a license at a nominal fee. Some people have stated that if the fishermen were registered and licensed they would feel themselves in a more responsible position, would be more likely to observe the law, and perhaps inform on others who did not?—A. It might probably make them feel they had a little more responsibility.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further licenses be discouraged?—A. I think myself there are plenty everywhere around the coast now. Perhaps it is not a question for us to answer.

Q. Is there any good reason why a license to pack should not be given to any man who shows his ability to do so?—A. No, I don't think it.

Q. Do you think the amount of gear fished by any individual factory should be limited?—A. Well, I daresay that that would be——

Q. It seems rather an odd thing that we should limit the number of licenses to pack and not limit the amount of gear a factory may use. We find in some places canneries fishing thirty boats, we will say practically all their own. That must have the effect of crowding out independent and individual fishermen sometimes. What would you say is a fair number of boats to fish as a limit?—A. That would depend on what ground a packer may have. Of course there are some factories now that are quite cramped up for ground. In such a case three boats would be as good as five or six for they would get as many lobsters. Others again have a wider scope.

Q. Do you think it would be difficult to limit the amount of gear a factory should fish?—A. I think probably it would be difficult all around.

Q. What is the best period of the fishing?—A. May is the best month we have, and the first two weeks of June.

Q. What do you think of the regulation fixing the date of opening in the spring?—A. I think the present time is too early. It is only one year out of ten we do anything in April that amounts to much.

Q. Why should we fix the opening of the season?—A. There is one thing. If the opening was put at the 1st of May, which I consider is early enough myself, to a certain extent you get clear of any risks of running your gear out too early.

Q. What has that got to do with lobster protection, is not that protecting the canner?—A. Yes.

Q. It is the canners' gear that runs the risk of loss?—A. Yes, that is what it is, sir, it is not protecting the lobsters. But take ten days off July——

Q. We can give good reasons for shortening the season up at that end, but why we should do it at the opening of the season is a thing I myself could never understand. I do not see why you should have a different opening here from what they have in Nova Scotia where fishing begins on 1st of January. Nature provides the time at which you may begin.—A. Yes.

Mr. ROGERS.—I think the reason they have for an opening date is to give every fisherman an opportunity to get his share of the ground.

Mr. MACNEILL.—That is so, but as the commissioner says that is not protecting the industry.

Mr. ROGERS.—It protects the weaker fishermen.

Mr. BELL.—It simply means a protection to the packers.

The COMMISSIONER.—There are many parts on our coast in the Gulf division where the conditions are such that you could begin to pack in March.

Mr. BELL.—The packer has more interest than the fisherman has in it.

The COMMISSIONER.—Where the packer owns the gear.

SESSIONAL PAPER No. 22a

By the Commissioner:

Q. It has been asked in some places that fall fishing be allowed in addition to the spring fishing?—A. That would soon run out the lobster industry.

Q. The policy of the department seems to be to encourage fishermen to group themselves together and obtain what is called a co-operative license; what do you think of that policy?—A. I never thought over that.

Mr. ROGERS.—That is done right here in this harbour.

By the Commissioner:

Q. Do you think that policy is one to be favoured?—A. I do not know I am sure.

Mr. BELL.—As the government lays it down that policy is all right, but that is never done; it is usually done for individual parties.

By the Commissioner:

Q. Do you think the product of canneries should be subject to inspection?—A. Yes, I think so, sir.

Q. Do you think that inspection could be carried out by the existing staff of fishery officers?—A. Well, I should think it could.

Q. Would you refuse a license to can to an alien?—A. I don't know, sir, I am sure.

Q. What is the price paid for lobsters in your district?—A. The price to people who have their own gear has been generally \$3 this year. Last year I think it was more. \$3.25 or \$3.50 I guess it was last year.

Q. What did you pay when you first began to pack?—A. When we first began to pack we paid along from 25 to 30 cents a hundred count. That was to our own boats. The price increased along from that up to 80 cents and \$1.

Q. The price has greatly advanced?—A. Yes, sir.

Q. Of course the price of the resulting product has also advanced?—A. Yes.

Q. Proportionately or to a greater degree?—A. Proportionately I think.

Q. Who fixes the price paid to the fishermen?—A. I think the packer generally does.

Q. Do you think there is any combination on the part of the packers tending to restrict the price to the fishermen? Fishermen have complained they are not getting a fair value for their lobsters, that there is an organization on the part of the packers to keep down the price?—A. I don't think so, not along our shore here.

Q. You think there is competition in the matter?—A. I don't think there is any combination on the part of the packers.

Q. Are you aware of complaints by the fishermen that the price paid for lobsters by the canner is not satisfactory?—A. I suppose there are some complaints in some cases but I think perhaps it is not very general.

Q. Is it the case that fishermen have lost their catch of lobsters by canners refusing to accept them?—A. Well, I think there were a few last year. During the heavy rush of fish I think there were a few.

Q. That was owing to the glut?—A. Yes, sir.

Q. It is not to your knowledge that there has been any attempt to squeeze the fishermen by refusing their catch?—A. I don't think so.

Q. It has also been alleged that canners have taken out licenses for certain districts and have not operated their canneries, thereby putting the fishermen to loss in that immediate neighbourhood?—A. I heard tell of one this season.

Q. That has occurred here you think?—A. I believe that has occurred, has it not Mr. Bell?

Mr. BELL.—I never knew of it.

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By the Commissioner :

Q. Would the fishermen find any market for the lobsters if the canneries were closed?—A. I think they would find a market, that is for the green fish.

Q. Have you any idea as to which branch of the fishery, the live lobster trade or the canning, would be the most profitable for the fishermen if the facilities existed for carrying on the live lobster trade?—A. I have had no experience at all in the green fishing, I don't know what the prices are.

Q. Are the present facilities adequate for the profitable handling of live lobsters?—A. I think so.

Q. Are you not rather far from the market?—A. That is the only thing. Of course it can be done.

Q. I should almost think that owing to your comparative isolation and the difficulty of transshipping, the trade could not be profitably carried on.

Mr. ROGERS.—It takes 36 to 40 hours from here to Boston. A friend of mine sent some three years ago direct from St. John to Boston. They went off in very good condition. They were given ice at St. John by the express company.

By the Commissioner :

Q. Is there anything in the quality of the lobster in this neighbourhood that should make it weaker and more unsuitable for shipment alive than the lobster on the Atlantic coast? Some people have said that the lobsters from this section will not stand transshipment as well as the Atlantic lobsters.

Mr. BELL.—I think that is owing to so much fresh water.

By the Commissioner :

Q. Have you had any experience in the matter of hatcheries?—A. There are some on this island. There is one at Charlottetown.

Q. I suppose that has not been long enough established to determine very accurately whether it has done much good or not?—A. I don't suppose it has.

Q. What is your opinion on the matter? Do you think that an increase in the number of hatcheries is desirable?—A. Certainly they must do good, there is no doubt about that, but I think myself if the regulations were strictly carried out with regard to the berried fish and the size limit it would be better than a hatchery.

Q. Do the facilities exist anywhere on this coast for the establishment of a pound?—A. Yes, sir, I guess Malpeque bay would be a good place and Alberton bay too.

Q. What is your opinion of fishing in bays towards which the lobsters seem to gravitate near the close of the season?—A. It is a question that is pretty hard to answer. Some people maintain that they——

Q. Looking at it from the point of view of the protection of the lobster what would you say?—A. I think myself that the river fishing, where I may say I consider the lobsters also come up to spawn, should be prohibited. Of course in many cases it is pretty hard to do at the present time, as for instance, Malpeque bay where there has been a lot of money expended on the fishery. Having in view that outlay it is pretty hard to prohibit it.

Q. Is there any other matter connected with this inquiry, that we have neglected or overlooked, upon which you would like to express an opinion, or is there any personal statement you would like to make?—A. No, I don't think so, Commander. I think I gave my views at the outset when we first started in.

Q. It has been always recommended by our leading fishery expert, Professor Prince, that we should only have two grand divisions, the Atlantic waters and the Gulf waters, and as little difference in seasons and size limits as possible. He proposes for the inner Gulf a season beginning 1st January and ending 1st July. How would such a season suit you?—A. I think ending 1st July would be all right but I don't see why it should be started 1st January.

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Q. There are some divisions where fishing could begin earlier than with you?—
A. Of course that is the way it is.

Witness discharged.

Mr. ROBERT BELL, packer Alberton, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster business?—A. I started nearly 30 years ago.

Q. Where are you packing now?—A. I am packing at Kildare Cape. I formerly packed on the west shore, at Skinner's point. I sold that factory last spring.

Q. How many boats do you employ?—A. I ran two this spring and intended to run three.

Q. Are you fishing your own boats and gear?—A. Yes.

Q. How many cases did you pack?—A. 100.

Q. With two boats?—A. Yes.

Q. How do you find your pack, is it increasing on the whole or decreasing?—
A. It is decreasing.

Q. What is your experience with regard to the fishery? You have had 30 years at it now, is the general trend of the industry downwards?—A. I think there is a downward tendency. When I commenced packing at Kildare, where Mr. Lovitt is now, some thirty years ago, I had fairly good fishing. There was one of the fishermen wanted to have a gear of his own and came out to Kildare Cape where the Hunter Brothers now fish. I said he might as well have gear and I would give him so much for his lobsters. He had 300 traps, built a house and started very economically and the fishing got so poor, he got so few fish there were not enough to compensate him for his outfit and there was no factory between Kildare and Tignish. There was not a trap either, only his 300. He came out in debt and I had to buy the gear from him. Now on that space of ground there are over 50 boats.

Q. Do you think the lobsters have a tendency to follow bait, that if there is a large distribution of bait they will gravitate towards it?—A. Yes, but the lobsters did not appear to be in existence.

Q. Do you think the regulations have ever been enforced in your recollection?—
A. Not strictly.

Q. Were they ever, at any time, more strictly enforced than they are now?—
A. Some 15 years ago there was a law passed that the first two laths of the trap had to be an inch and a quarter apart. That was strictly enforced. At that time also there was a limit regulation and that was very strictly enforced. I know that because I was fined once.

Q. Have you ever heard of anybody being fined recently?—A. Not very recently.

Q. Was that when Sir Hibbert Tupper was Minister?—A. Yes, sir.

Q. What do you think yourself of that regulation limiting the space between the slats?—A. I think it had a great tendency to protect the small lobster and the really small lobsters are of no value to the packer. It is a great injury to the industry to destroy them.

Q. Before they have reached the age of reproduction?—A. Yes.

Q. What would you say as to the proposition to do away with the size limit, strictly protect the berried lobster and close the season on the 1st of July?—A. I think that is about the whole solution. There is no other way whereby a packer can run a successful business on a size limit.

Q. The regulation fixing the size would be a very difficult one to enforce in any case, would it not?—A. You could not enforce it, you could not get the fishermen to fish.

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Q. You think the proposition referred to offers the solution of the difficulty?—

A. Yes, that is the one.

Q. And you would fix an opening day for the spring?—A. Yes, sir. The 1st of May, not earlier.

Q. In what depth of water do you fish in your neighbourhood?—A. All the way from 2 fathoms to 12.

Q. Would you say what percentage of the lobsters taken are below the 8-inch limit?—A. I should say there is probably two-thirds under 9 inches.

Q. Do you think as much as that?—A. Yes, sir. Of course I have only had one year's experience on this shore. On our other shore I know it for a fact because I have kept strict records. Probably you had an interview with a man named Butler, an overseer over there. I saw one of his cards. He kept a regular score card at the request of Mr. Matheson, the inspector. Instead of going around from one place to another he kept a strict record for himself. I saw one of his records recently, and he had 445 lobsters from $3\frac{1}{2}$ inches in size to $10\frac{1}{2}$ inches, and the 445 lobsters weighed 101 pounds. Now, I saw that with my own eyes, and there were even lobsters $3\frac{1}{2}$ inches and a good many 4 and a good many 5 and 6. There were some $10\frac{1}{2}$ inches, but just a few.

Q. Would they pack those small lobsters?—A. Yes, sir.

Q. What sort of meat do you get from them?—A. Well, the meat is firm and white, but it is tedious to get out of the shell.

Q. You told us, I think, when we were examining the previous witness, that you had some experience of the South Shore district where they fish up to the 10th August?—A. I took some traps down there as an experiment.

Q. A great many fishermen in that district have told us they would prefer, and they think it would be wise, to change the season altogether, to let them begin to fish on the 15th July and knock off at the last of September, by which means we would save the berried lobsters altogether?—A. Well, I think it would be a very good idea. When I went down there about the 12th July the lobsters then were hardly fit to can; they were just like a sponge, and a good many had no shell on at all. A singular thing about the fish down there is that you have an increase after the 10th July.

Q. You see the fishing is stopped on both sides then?—A. Some people say it is the drainage from the northern fishery, but I don't think it is anything of the kind; they are not the same kind of lobsters at all.

Q. Do you think it would be possible to fish there during that time? Some canners complain that by leaving the gear out in July and August the rope would be destroyed very rapidly owing to the warm weather and the borer would injure the traps. The average life of a trap under present condition is three years?—A. They never get broken by storms there, but they are eaten by worms.

Q. The fishermen there say that if that change were made, even if they did lose some gear, they would make it up by an improved catch and the lobsters would be most thoroughly protected?—A. I think it would be a splendid law. It would be a good law for the packers too, because they actually lose money from the 25th of May to the 1st July; they do not get enough lobsters to pay expenses.

Q. You heard the evidence of the previous witness, do you approve of it in a general way?—A. Yes, in a good many things.

Q. Are there any points on which you differ from him?—A. There is one thing about the limit of traps that is not right at all. There are big monopolists in this industry that are just wiping the smaller packers out of existence by overcrowding. For instance, in recent years they have bought out one factory at Kildare, formerly owned by William Whitman, who ran five boats. The Portland Packing Co. got hold of it and instead of running 5 they ran 13, 5 of which are gasoline boats. Then to the northward of that they bought out another factory, then ran three or four boats, and possibly could have bought from some three or four more. Now, the company are

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running from 15 to 16 or 20 boats, and, of course, they are running a large amount of gear. In former days 300 traps were considered an ample number for any two men. Those men are running 400, 450 and 500 each; they have got to crowd in somewhere. I am speaking from experience, and I think it is a most unfair case. This year when we commenced to run our lines inshore we ran them as close as $2\frac{1}{2}$ fathoms, and we put probably 150 to 200 traps along the beach. Well, one of these monopolists came down one day and ran a mile or two miles—a long way inside of us. We were getting 150 to 200 lobsters a day, but when they ran their lines inside we did not get much over half that number; it simply spoiled the fishing for both. They lost a lot of gear by it, but at the same time I think it is a most unfair thing, because these monopolists are bound to wipe out the weaker men, and I think the sooner there is a change in that respect the better. If not there will be no small packers, the Americans will have the whole thing to themselves.

Q. What do you think yourself about the general practice of issuing licenses to aliens?—A. I think there should be a limit to it because they are squeezing our people and driving them out.

Q. Would you venture to say that where licenses are issued in future our own citizens should have the preference?—A. Most decidedly, because if those men get a monopoly of the business they will do as they like.

Q. Do you think that under altered conditions or circumstances the Canadian citizens would be allowed a license to can in the United States?—A. I don't suppose he would. The Yankee is too cute for that, he wants it all to himself. I think we ought to have the lion's share here too but we have not got it.

Q. Was there an attempt made this year to prohibit the packing of the berried lobster?—A. Yes. I think it was pretty generally observed.

Q. Would you say there is an increasing disposition on the part of the fishermen to protect the berried lobsters, are they beginning to realize the necessity for saving them?—A. They realize the necessity for it all right but still they don't like to throw a cent over their shoulders. They don't value the lobster, it is the money they are after.

Q. Do you think if the canner absolutely refused the berried lobsters, the fishermen would put them back in the water?—A. I suppose they would but still the fishermen argue this way: They say if they throw them over, so and so takes them.

Q. Do you think there is anything in the proposition to license the fishermen?—A. I don't know I am sure, I don't think there is. The only way to do with the fisherman, I think, is to let the government pay him for the lobsters and take care of them, gather them up and put them into breeding pounds. It is no use in the world for fishermen to take the berried lobster out of the trap to-day and chuck it overboard, because somebody else will pick it up to-morrow and the next man may brush the berries off and try and deceive the packer. I don't think that is worth a straw. I think it is really absolutely necessary that the government should take steps to have smacks go around, take up the berried lobsters and pay a good price for them. Then the fishermen will take care of them.

Q. Would you favour the placing of berried lobsters in pounds or bringing the spawn to hatcheries?—A. Well, the hatcheries would be rather difficult, there would not be enough of them, but the shore is strewn with suitable pounds that could be put into use at a very small cost. The berried lobsters could be put into these pounds and afterwards conveyed to the hatcheries.

Q. The berried lobsters have to be fed when they are in these pounds on mulched herring?—A. I was showing Mr. Matheson and Mr. Lovitt the advisability of having pounds to receive the berried lobsters. There is a very good place near us.

Q. What is the depth of water?—A. All the way from two to ten feet. That is the most important thing of all, to look after the berried lobsters when they are delivered by the fisherman.

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Q. All this would mean an increased cost. Do you think the department would be justified in asking the canners to pay an increased fee, instead of the 2 cents fee at present charged, so as to carry out that plan?—A. I think so.

Q. Because it would seem to be necessary that the cost of protection should come out of the industry itself?—A. In that case the packer would be as much interested in the protection of the lobster as the government. I think it would be a capital idea so long as the fee would not be excessive.

Q. Do you think there is any part of the season when berried lobsters are more numerous than at another?—A. You get the berried lobsters from May 1. to July 1. I think there is more probably the last of June and along about the 1st of July.

Q. What is your opinion, or would you care to express an opinion, as to the advisability of fishing in lagoons, harbours and inshore waters generally?—A. I don't think it should be allowed at all.

Q. Would you confine the lobster fishing to the outside shore?—A. To the outside shore.

Q. In every instance?—A. The main feature in this whole industry is to have some restriction as to the number of traps and save the berried lobsters. I can take care of myself, but really and truly if there are not some steps taken very soon the thing will take care of itself in a very few years. I say it is a most ridiculous thing to allow monopolists to go around and buy the small factories and squeeze themselves in in every imaginable case. It is simply going to wipe the Canadian out of existence altogether in a very short time. Where Mr. MacNeill is canning he has got nothing like that to contend with but he may have in the near future; they may be trying to get in there as well. I am speaking from knowledge because I have had an experience of over fifteen years. Now I will give an instance of it. I saw the overseer myself and he showed me a score card on the 6th July. I said: 'How are the fish?' He said: 'This is how it is. There is a particular catch of 445 lobsters.' He had the sizes all the way from $3\frac{1}{2}$ to $10\frac{1}{2}$ inches. I said: 'You have 445 lobsters.' He asked: 'How many pounds have I got there?' I replied: 'You ought to have 160 according to the lobsters I have been using.' He said: 'I have just 101.' I said: 'That is too small to can.' He said: 'We are losing by it. The Portland Packing Company would give me \$1.30 if I took them over there.' I said: 'They are not worth catching.' He said: 'What is the odds as long as they will pay?' I told him 'It would not be right to leave the man who paid you for the 100 pounds last season.' He replied: 'I want the money.' Another man that had 400 lobsters weighing 100 pounds would not give them to Doucet at \$2.75 a hundred weight but took them to the Portland Packing Company at \$1.30 a hundred count. That was nearly double what he got formerly. You see these companies can afford to run the factories at a heavy loss whereas a poor man cannot do that, he will have to go out of business altogether. Now as to the trap I think it would be advisable to have the first and second lath an inch and a quarter apart and allow the small lobsters a way to escape. I think one of the main destroyers in this business has been the introduction of the parlour traps that take and hold everything, there is no escape from them.

Q. Do you think the number of licenses issued to one individual or company should be limited? We find in some parts of the coast that there are scores of canneries run by one firm. The smaller operators are being gradually squeezed out or, having abandoned packing, the cannery has been taken over by a large operator and there seems to be practically no limit to the number of licenses controlled by one incorporation. Do you think there should be a limit put to that?—A. I think there should certainly be a limit. A great many packers are in favour of free licenses, but I have a different opinion. I think it would have a tendency to hurt the industry, to hurt the quality of the pack.

Q. To overdo the issuance of licenses?—A. Yes, to have too many small packers. Supposing a man would get a license to pack his own catch, a boat's catch or the like

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of that. I think it would be something like butter; there would be so many different qualities that the lobsters would not be of an equal quality. I think that the fishermen to-day get just as much out of the business as the packer, and I do not know but they get more. They have not any reason to complain, but they are a dissatisfied class of people. That is a fact. I have had an experience of thirty years now with fishermen and they have had just as good a thing of it as the packers compared to the amount of expense.

Witness discharged.

WILLIAM MACLEOD, fisherman, Alberton, called and sworn:—

By the Commissioner:

Q. How long have you been engaged as a fisherman?—A. About eighteen years.

Q. When you are not lobster fishing what do you occupy yourself with?—A. Fishing mackerel.

Q. Are the majority of the lobster fishermen in this neighbourhood men who practically fish all through the season?—A. Yes, sir.

Q. We find in a great many places that the majority of the lobster fishermen are farmers, labourers and others, who fish lobsters and nothing else; that is not so here?—A. Not as a general rule.

Q. Have you always carried on your fishing on this same coast?—A. Yes, on this same coast.

Q. Do you own your own boats and gear?—A. Yes.

Q. What amount of gear do you fish?—A. 385 traps this spring.

Q. In what depth of water do you generally fish?—A. From six fathoms to eight.

Q. How far off shore is that?—A. Four to five miles.

Q. What is the nature of the bottom on which you do most of your fishing?—A. Rocky bottom.

Q. Is it rock all over, or are there reefs with sand bottoms between?—A. Rock all over.

Q. Is there any Fishermen's Union in this neighbourhood?—A. No, sir.

Q. For whom do you fish?—A. John Agnew.

Q. How many boats does he run at that factory?—A. Ten.

Q. Those ten are his own boats, are they?—A. I was the only one that had my own gear. Well, there was another man who had two boats there.

Q. Do you fish throughout the season in the same depth of water?—A. Pretty much.

Q. Is it the practice there to move the traps farther in as the season advances?—A. Yes, sir.

Q. Since you have been a fisherman has the catch been decreasing?—A. It is decreasing.

Q. Decreasing in what way, are you getting a smaller run of fish?—A. A smaller run of fish.

Q. Have you to fish more gear to-day than you did when you first began to keep up your catch?—A. Yes, sir.

Q. Do the lobsters average as large now in size as when you commenced fishing?—A. No, sir.

Q. At what period in the fishery do you make your best catch?—A. The middle of May to the 1st of June.

Q. When do you find the berried lobsters?—A. Coming on the last part of May and the 1st of June.

Q. And when do you find them in the greatest abundance?—A. That is about the time. We don't find a great many.

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Q. What would you say is the percentage, how many berried lobsters do you find to the hundred lobsters?—A. I suppose they would average about two.

Q. Will you average more at certain seasons than at other seasons?—A. They would average more at the latter part of the season.

Q. Do they seem to come in runs or are they scattered?—A. They are scattered.

Q. Do you notice much difference in the egg as the season advances, do you notice the egg ripening?—A. All I ever noticed was to see half of the spawn gone.

Q. Did you ever try to hold a female lobster in a trap?—A. No, sir.

Q. Is there any difference between the trap you use now and the one you first fished?—A. There is a difference. There is the four headed trap now. We used to use the two headed trap.

Q. Where do the fishermen consider the advantage lies in the present trap?—A. It holds the lobsters longer.

Q. Are you putting the slats closer together now than you did formerly?—A. Yes, sir, a little closer.

Q. Do you think that a widening of the space between the slats of the trap would have the effect of letting the immature lobsters escape?—A. I think so.

Q. Do you think it would be wise to do this?—A. It would be wise to do this.

Q. I suppose you will admit it is unwise to destroy an immature lobster?—A. Yes, sir.

Q. What has been the practice in the past with the canner, has he always been ready to accept everything you brought him?—A. Yes, sir.

Q. Without regard to the size or the fact that the lobsters were berried?—A. This summer he refused.

Q. Refused to take the berried lobsters?—A. Yes.

Q. Do you think there is a general disposition on the part of the fishermen towards realizing the necessity for protecting the lobster, especially the berried lobster?—A. Oh yes, sir.

Q. It has been proposed by some people that the fishermen should be licensed, as well as the canner, with the object, we will say, that in the event of any considerable violation of the law the license could be cancelled and the offender not allowed to fish lobsters any more. Do you think there would be any advantage in trying to do that sort of thing, would it be wise or necessary to do it?—A. It might be a good thing.

Q. Do you think there would be anything gained by sending somebody around who would address assemblies of fishermen and explain to them the advantage and the necessity of their observing the law?—A. Yes, sir, I think so.

Q. There seems to be a feeling on the part of the fishermen that these laws are made, not for their good, but for the purpose of restricting or pinning them down, and the idea would be to show them that such is not the case, but that these regulations are necessary for the protection of the industry. Do you think it would be possible to so educate the fisherman so that he would observe the law and understand the necessity for doing so?—A. I think so.

Q. How does the price paid for lobsters compare with that paid when you first began to fish?—A. The price was very low this year.

Q. Why was that?—A. There was a glut in the market I suppose.

Q. Due to the overcatch of the last year or two?—A. Yes.

Q. What did you sell your lobsters for this year?—A. \$2.50.

Q. And last year?—A. \$3.15.

Q. And previous years?—A. \$3.

Q. What did you get when you began to fish first?—A. \$3.

Q. Have you as a fisherman a feeling that you are not getting enough for your lobsters?—A. This year I did not get enough.

Q. Do you think there is any combine to keep down the price?—A. There was a combine this spring.

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Q. Who fixes the price paid for lobsters?—A. The Portland Packing Co. fixed it this year and Mr. Myrick.

Q. You think there is no competition in the matter and that you are forced to take what is offered?—A. The fishermen have to take what they get.

Q. Do you think there is any time when the lobster is not fit for food—A. I think when they are soft shelled.

Q. What is the smallest size at which you have known a female lobster to carry eggs?—A. I would say about 8 inches.

Q. I suppose there is a very small proportion at that size?—A. I hardly ever see them, it is generally the large lobster that carries eggs.

Q. What proportion of the lobsters you take, would you say, were below the size limit of 8 inches?—A. About one-quarter.

Q. Out of every 100 lobsters, how many are below eight inches in size?—A. I suppose there would be 25 to 30, that is a rough estimate.

Q. Now, with a view with protecting the fishery, are there any changes you would suggest in the regulations?—A. I would suggest to put the laths in the trap far enough apart to let a 7-inch lobster go. It would be a little hard for a few years but it would bring the fishery up again to its former state.

Q. What would you say to a regulation which would do away with the size limit, control the distance between the slats, and close the fishery on the 1st July, always protecting the berried lobster as thoroughly as possible?—A. I think that would be a good thing.

Q. Do you think if that were done and carried out strictly it would have the effect of preserving the industry?—A. It would have that effect.

Q. And in a few years the fishermen would reap the benefit by an increased catch?—A. Yes.

Q. What do you think of the present practice of limiting the number of licenses to can?—A. The way it is with our people we have our own gear. If three or four could not get a license we would have to take what we could obtain from the packers.

Q. Then would you favour the practice of granting a license to a group of fishermen to club together and engage in packing?—A. Yes, sir.

Q. We would have to have some standard for canning; how could we fix that? It would not do to give licenses indiscriminately to everybody, it would be for the benefit of the fishermen themselves that that should be done; how could we arrange that matter, how could we ascertain that any of these men were competent to pack?—A. You would have to know that he had so many traps, his own gear.

Q. And was prepared to run a cannery that would be up to a certain standard?—A. Yes.

Q. What is the average number of cases packed per boat, what would it run?—A. It would run about 220 or 230 lobsters to a case.

Q. We find the average has been about 50 cases to a boat, some more, some less; do you think that would be a fair average? We would have to fix a standard somehow, would it be fair to put a limit of 50 cases per boat?—A. No, I don't think it would be.

Q. Do you not think so; as a fisherman would you not run that number?—A. I would overrun that.

Q. Has it ever been the habit of fishermen here to strip the eggs from the female lobsters outside?—A. I have not seen them at it but I have heard them talk about it.

Q. Is fishing carried on after the close of the season?—A. Well, there is.

Q. It is still done, do you think?—A. Yes, it is done every year.

Q. Is it done among the outside fishermen or among those who fish inside in the harbours and lagoons?—A. It is done on both sides.

Q. Is it done extensively, is there quite a lot of it?—A. No, sir, not a great deal.

Q. Where are those lobsters packed generally?—A. They are packed in different places, smuggled.

Q. They are not packed openly in the canneries are they?—A. Oh, no, sir.

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Q. Is it the practice of the fishermen to avoid dealing with a canner who is known to be careful in regard to the receiving of berried lobsters, and to go to another who is less scrupulous?—A. No.

Q. Would it be possible to get the fishermen to return to the water all the berried lobsters they take in their traps?—A. It would.

Q. How do you think they could be induced to do it?—A. By one fisherman watching another it could be done.

Q. Do you think it would be possible, or wise, to buy the berried lobsters from the fishermen, impound them and liberate them after hatching out?—A. I daresay it would.

Q. Are there places about this coast where pounds could be built? What is needed is an enclosure, having a narrow outlet with the tide flowing freely in and out, and a certain depth of water—a pretty large area to hold thousands of lobsters?—A. I don't know where you could get the place.

Q. What would you think about hatcheries?—A. I think they would be a good thing.

Q. Would you favour an increase in their number?—A. I would.

Q. Are you aware of any fisherman having lost his catch of lobsters through the canner refusing to accept them?—A. No.

Q. Some people have proposed with a view of saving the fishery to close it down altogether for a number of years, what would you think of that?—A. I don't think there is any need of it.

Q. Others have proposed to close down by sections. The Lobster Commission that came around in 1898 proposed that solution; to close certain areas for a term of years, and vary those areas all around the coast so that there would not be a complete, but only a partial, closing down. Would that be possible and less harmful?—A. I don't see how that would be possible.

Q. If lobster fishing were stopped for a term of years what would the fishermen do; what would they turn to?—A. They would have to go away, the most of them.

Q. Would it be possible to ship the lobsters alive to the market if the licensing of canneries were stopped?—A. It is pretty hard; we are so far away. Boston is the handiest market for live lobsters and it is pretty hard to get there.

Q. Have you any idea which is the most profitable to the fishermen, selling the live lobsters to the market or selling them to the canner?—A. It is according as they are situated. If they were situated handy to a railroad I think the live lobster trade would be the more profitable.

Q. Do you think where it is possible the live lobster industry should be favoured rather than the canning?—A. It should be favoured I think.

Q. There are certain sections of the coast where that fishery seems to be the most profitable of the two. Do you think the lobster canner would have to go out of the business if the present size limit were strictly enforced?—A. I don't think so.

Q. It has been stated in some instances that fishermen have suffered injury by the failure of those holding canning licenses to operate their factories; do you know if that has been the case here?—A. No, that has not occurred here.

Q. I understand you would favour the plan of issuing a license to a group of fishermen who would combine together to can on the co-operative plan?—A. I would.

Q. Are you aware if ever that has been done in this neighbourhood?—A. It has been done.

Q. How long ago?—A. A couple of years ago.

Q. Is that cannery in successful operation?—A. Yes.

Q. Do you think there is any reason why the size limit should be smaller in one district than in another?—A. I don't see it.

Q. Is it your opinion that when the fishery first commenced lobsters were about the same size and run all over the coast?—A. There were big and small.

Q. Of course, old and young. Do you think in the original times, before canning

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commenced at all, the lobsters were about the same size all over?—A. I always heard of there being big lobsters before the canning commenced.

Q. Do you think it would require a larger percentage of lobsters in the fall to fill a pound can than it does in May and June?—A. Oh, no.

Q. What would you say in regard to inshore and lagoon fishing; do you think it should be allowed or would you prohibit that?—A. If the laths were so as to let out small lobsters, there would be no need of it. Of course, the small lobsters come inshore to grow.

Q. Is there anything else you would like to say?—A. No, sir, I think you have asked me all I have knowledge about.

Q. I understand you to say that you would favour an increase of space between the slats?—A. Yes, sir.

Q. And the shortening of the season by ten days at the end?—A. Yes.

Q. And would you do away with the size limit or leave it where it is at 8 inches? Do you think we could venture to do away with the size limit altogether if we enlarged the space between the slats?—A. I think if the space was looked after it would be all right; there would be no need of looking after the size limit.

Witness discharged.

JOHN IRELAND, fisherman, Alberton, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing?—A. Two years lobster fishing.

Q. Where do you fish?—A. North Cape.

Q. There is no inside fishing there?—A. No.

Q. Are you fishing your own gear and outfit?—A. No, sir, I have got an interest in it, it is not all my own.

Q. What cannery do you fish for?—A. John Agnew.

Q. Did you hear the evidence of the other gentleman?—A. Yes.

Q. In a general way do you agree with what he has stated?—A. Yes, sir.

Q. Is there anything else you would especially like to allude to?—A. I think to shorten the whole thing up; to have a standard size, to have a standard sized trap, that is a standard space between the laths, and make a larger mesh in the head of the trap to allow the small lobsters to get out.

Q. Do you mean to say a larger hoop?—A. It does not make so much difference about the hoop as long as the mesh is large enough to allow small lobsters to get out.

Q. And you would protect also the berried lobsters?—A. And protect the berried lobsters.

Q. I suppose there can be no doubt but that breeding lobsters should be protected?—A. Oh, yes. We kept pretty nearly all we got and put them in traps by themselves but we could see no change in them.

Q. What percentage of the lobsters you take are female lobsters bearing eggs would you say?—A. I should say we had about one hundred weight of them.

Q. What was the weight of your total catch?—A. About 46,000 pounds.

Q. And out of that you will have about one hundred weight of berried lobsters?—A. Yes.

Q. Could you tell us the percentage of undersized lobsters you take?—A. It is according to the district. In some districts I guess 90 per cent. In others again of course——

Q. I suppose about North Cape you have a pretty good run of lobsters have you?—A. Coming on the last of the season it gets pretty small when you fish in near the shore.

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Q. Who fish in there?—A. The majority of men do. There is a small ledge off there where we fish. We fish the season off there.

Q. As regards this matter of lagoon fishing and inshore fishing in harbours and inside channels, what is your opinion of it as compared with the off shore fishing?—

A. I think the inshore place is a kind of a natural hatchery. By making the space larger between the slats in the trap the small lobsters will escape and will get a chance to grow.

Q. As to the price of lobsters, do you think the fisherman is receiving his fair share of the profits of the fishery?—A. Up to this year I think he did, but this year they cut him down a little too far.

Q. That I suppose is because the market was bad?—A. The market was bad, but not sufficient to cut it down as much as it was.

Q. Within your time of fishing has the regulation with regard to taking berried and undersized lobsters been observed?—A. Not as to undersized lobsters. This year the packers as a rule would not take berried lobsters.

Q. Last year they took everything that came I suppose?—A. Everything that came.

Q. And was that the practice for many years?—A. Yes.

Q. What do you think of the practice of limiting the number of canning licenses?—A. I don't see where the benefit comes in of limiting the number.

Q. Do you think a license ought to be given to every man who applies for one?—A. Not to every man that applies.

Q. But if a number of fishermen combine together and prove they are prepared to do canning in a substantial way, would you favour giving them a license?—A. Yes.

Q. Do you think a large number of licenses should be given to one individual, or corporation, or is it better to confine it?—A. I think the rule is now where a corporation owns a lot of factories the license is issued to the manager. I don't think the corporation holds the license, I think it is each manager who holds it.

Q. It is true the license is made out in the name of the manager but it is always stated in the license by whom the cannery is owned?—A. The rule here in the case of a factory that has a license is, that if they buy the factory out the license continues to them.

Q. Do you think that should be continued, does it not lead to a monopoly?—A. On the other hand if a poor man had a factory and sold it he would get no benefit because it is the license they want and not the factory.

Q. Do you think there has been any combination on the part of canners to keep the price down?—A. This year there was undoubtedly.

Q. What do you think would be the best way of making the fishermen understand the necessity of strictly observing the regulations, especially that in regard to berried lobsters? You realize the necessity yourself but there are a great many fishermen who do not, they only think of the present moment.—A. I think the most of them do, but they do not care.

Q. How could you make them care?—A. If there could be some arrangement made for the packer to buy the lobsters, and then impound them or place them in hatcheries, or something of that sort, I think that would be the best way.

Q. You do not think we could trust to the intelligence of the fishermen to take care of the berried lobsters?—A. I won't say the intelligence, it is the honesty.

Q. Do you think if the canners refused absolutely to receive berried lobsters the fishermen would not be obliged to put them back?—A. I think here they knock the berries off.

Q. In that case you think they would knock the berries off?—A. Yes.

Q. What do you think of the proposal to license the fishermen?—A. I don't think there would be any advantage gained.

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Q. You do not think it would make any difference to do that?—A. I don't think it would go, especially in this country. A great many of our fishermen, as soon as the season is over, go away, probably to the woods. They never come home until the last moment and would not have sufficient time to look after getting their licenses.

Q. Do you not think it might have the effect of putting the fishery in the hands of more responsible men?—A. It might in that case.

Q. What do you do when not lobster fishing?—A. I go to sea or fish.

Q. Is there a very large proportion of the lobster fishermen here who carry on other fishing, or are they men who fish lobsters and nothing else?—A. There is quite a few but there are a lot of farmers. The majority of them make a living at fishing.

Q. What is the smallest size at which you have seen a female lobster carrying eggs? The reason I ask the question is because there is a good deal of difference about it?—A. I have not measured them but I should say about 8 inches. I think that is about it.

Q. What would be the average run, as a rule they are pretty good lobsters are they not?—A. As a rule they are the best lobsters.

Q. Have you any opinion to offer regarding the shipment of live lobsters to the market, do you think it could be successfully carried on here?—A. Yes, right here in Alberton, I think it could. In other districts they are perhaps too far away from the railway.

Q. And the facilities for successful shipment do not exist?—A. No.

Q. Do you think it would be a wise policy to encourage that branch of the industry rather than the canning?—A. Yes, there would not be such a large pack then and you would get an all-round price.

Q. That is in places where the shipment of live lobsters could be successfully carried on?—A. Yes.

Q. Are you aware of any fisherman having lost his catch of lobsters through the canners refusing to accept them?—A. Not in this neighbourhood.

Q. What would you think of the proposal to close down for a term of years?—A. I don't think it is necessary if the fishery is properly looked after.

Q. And in any case it would be a very great hardship would it?—A. It would be a very great hardship.

Q. What would you think of the other proposition of closing down by sections? That would not be as great a hardship?—A. Oh, no, it would not, but it would come very near it because those sections left over would be overcrowded.

Q. Do you think there should be any inspection of the product of a lobster cannery?—A. If there is meat inspection I do not see why it should not be done in the case of the lobster.

Q. Do you think the lobster canner would be put out of business altogether by a strict enforcement of the size limit as it is at present?—A. No. It would be hard on him for a few years.

Q. But ultimately he would be benefited?—A. Yes.

Q. Do you think the fishermen would make more money if allowed to can for themselves?—A. Yes. Of course these packers are not in it for pleasure.

Q. You would favour an increase in the number of hatcheries would you?—A. I think hatcheries would be a good thing around the shore.

Q. You have not been fishing long enough to enable you to say whether there has been any noticeable decrease in the size of lobsters, have you?—A. No. Of course I have been around here a good many years.

Q. As a matter of fact you know there has been a decrease?—A. Oh yes.

Q. Do you think there is any reason why the size limit should vary in different districts?—A. No, I do not.

Q. You have heard the evidence given by the other fishermen who preceded you, would you approve of it?—A. Yes.

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Q. Would you favour shortening the season to the 1st of July, increasing the space between the laths in the traps and the width of the mesh and dropping the size limit altogether?—A. Yes. You cannot enforce the size limit.

Q. And either buying the berried lobster or making serious effort to protect it?—A. Yes.

Q. Have you ever made the experiment of preserving female lobsters in the trap?—A. All we could. We put them into empty traps and put them on the ground. We could see no change, they had no more sign of shedding the berries at the close of the season than they had at the beginning.

Q. They did not shed the berries?—A. No.

Q. And they had not shed the berries when you liberated them?—A. No.

Q. If they have not hatched out at the close of July, when the hatching season is generally over, then these eggs are carried over to another season?—A. We liberated those lobsters about the 1st July.

By the Commissioner:

Q. It is possible that if you had kept the lobsters a little longer you may have seen a change because when they hatch out the eggs tumble off?—A. Possibly.

Witness discharged.

JOHN SKINNER, packer, Alberton, called and sworn:—

By the Commissioner:

Q. On what part of the coast do you pack?—A. Alberton South.

Q. How long have you been engaged in packing?—A. Ten years.

Q. Do you operate more than one cannery?—A. Only one cannery.

Q. What number of boats do you employ?—A. Two boats.

Q. Do you own the gear and boats?—A. Yes, sir, I own the outfit.

Q. And your fishermen fish by the hundred?—A. Yes, sir.

Q. What is the average number of traps fished by these boats?—A. 650.

Q. Between the two?—A. Yes.

Q. Each boat fishes two men?—A. One boat fishes two men and the other one.

Q. What number of people, men and women, do you employ?—A. Eight in all.

Q. How many cases did you pack this year?—A. 95 cases.

Q. And last year?—A. Well, I had just twice as much gear last year. I packed 140 cases.

Q. What is the best pack you ever put up in that factory?—A. According to the gear, that was the best year I ever run.

Q. Where do you carry on your fishing?—A. One boat inside and one out.

Q. Take the outside boat, in what depth of water does she fish?—A. All the way from nine fathoms to five, not inside of five.

Q. Does she always fish in the same water throughout the season or do your fishermen move in?—A. As near as they can, they cannot always get in the same place.

Q. Some fishermen begin fishing in deep water and move in as the season advances to shoaler water?—A. Well, we don't get inside of five fathoms of water.

Q. Then as to your inside boat, what depth of water would it fish in?—A. From three to four fathoms and five, along there.

Q. Where does it fish?—A. In the bay.

Q. What do you call the bay?—A. We call the inside harbour in the bay. We have a great bay here.

Q. Is that what is called Cascumpeque bay?—A. Cascumpeque bay.

Q. How long have you fished in the bay?—A. I think I am the only fisherman here inside. I have been fishing for 20 years.

Q. What is your experience with regard to that fishery?—A. I have been fishing inside about 20 years. The first year I fished inside I fished 50 traps and I fished 100

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outside. I think the fishing is better to-day in the bay than it was then, a lot better.

Q. By better do you mean that you are getting more fish?—A. More fish with the same amount of gear.

Q. Then what about the size of the fish, will they run as large to-day as when you began to fish there?—A. I think they are running better.

Q. Do you get a larger percentage of female lobsters in the bay than you do outside?—A. We don't get any berried fish inside at all. This year I think we got two.

Q. How do you account for that?—A. I don't know. Whatever fish we got we got outside.

Q. Do you think the female lobsters spawn outside rather than inside?—A. I think they do.

Q. What do you think brings them into the harbour?—A. They naturally come to the harbour and come inside.

Q. Is there a better feeding ground inside for them?—A. Yes, sir, it is inside the feeding ground is.

Q. Are there a large number of other boats fishing on the inside ground where you are?—A. There is a thousand traps this year I should say.

Q. What number of traps would you say are fished inside in Cascumpeque bay altogether?—A. About a thousand this year, that is the last of the term.

Q. Are there not more than that in the whole of Cascumpeque bay?—A. I don't think so.

Q. There are a number of canneries licensed in that neighbourhood?—A. Not in this place, there are only three canneries in this bay. In Richmond bay there are quite a number of canneries.

Q. Are the conditions pretty much the same in Richmond bay as in Cascumpeque bay?—A. Pretty much the same I should say.

Q. Do you begin to fish as early in the bay as you do outside?—A. No, sir.

Q. At what date do the lobsters reach the bay?—A. I can hardly tell. I know we have quite a number of lobsters outside before we get inside.

Q. How long do the lobsters remain in the bay; they come in late, but do they remain all the season?—A. They remain until the snow flies.

Q. Do you think they leave the bay and go out to sea?—A. Yes, sir.

Q. They do not winter in the bay?—A. No, sir.

Q. Then in your opinion the fishery in the bay is no more injurious than it is outside?—A. No, sir.

Q. What do you think is the spawning month of the lobsters?—A. Well, in the month of May a school of spawn lobsters come on the shore, but I think the lobsters spawn every month in the fishery season.

Q. Do you think the lobsters spawn also in the fall or does the spawning end with the fishing season?—A. I think it ends with the fishing season.

Q. Do you fish the same trap inside as you do outside?—A. Yes, sir.

Q. You fish the parlour trap?—A. Yes, sir.

Q. What do you think of the proposition to allow a larger space between the slats; do you think that we would in that way allow a greater proportion of immature lobsters to escape?—A. Its all owing to your limit, whatever your size of lobsters. Five-inch lobsters are not good to the packer or the fishermen.

Q. But that sized lobster is still held in the parlour trap with a three-quarter inch slat?—A. Yes.

Q. What width between the slats do you think would be large enough to hold decent lobsters and allow the small ones to escape?—A. I think if the three lower slats were lathed one and a quarter inches apart, the five-inch lobsters would escape.

Q. How would you favour the proposition to do away with the size limit, to increase the space between the slats of the trap and knock off fishing about the 1st July?—A. And have fall fishing the same as in the Magdalens?

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Q. No, have no fall fishing?—A. I don't think there is any necessity for that; that would make our season too short.

Q. Does your season continue later inside than outside?—A. Yes.

Q. The size limit is not observed at present, is it?—A. Yes.

Q. Then if we did away with the size limit we would naturally ask for a little compensation in the way of a shorter season?—A. If the bottom slats were left at one and a quarter inches that would let the small lobsters escape.

Q. You would protect the breeding lobsters?—A. Certainly, by all means.

Q. What has been the practice in the past with regard to berried lobsters, were they all canned?—A. They were all taken and canned up to this year; there has been a little regard paid to them this year.

Q. And of course the undersized lobsters have always been taken?—A. Yes.

Q. Were the regulations ever strictly enforced to your knowledge?—A. No, sir.

Q. What do you think of the present regulation limiting the number of licenses?—A. Well, I think there are licenses enough.

Q. Do you see any reason why a man who could show that he was competent to can should be refused a license?—A. Well, if they go as far as that they might just as well say they are going to give all hands, all the fishermen, a license.

Q. That thing would soon cure itself?—A. Yes, that would soon cure itself.

Q. Do you think the number of licenses issued to one individual should be limited?—A. Well, there is no use in us giving any opinion on that.

Q. Yes, it is, because you are a voter?—A. We have them here now. When they give those permits here to pack fish there is no use in us forming any idea about that.

How do you mean permits?—A. Two or three of the canners have got permits to pack lobsters, not licenses, but yearly permits.

Q. Without a license?—A. Without a license; they are right here.

Q. Do you think there are men running factories to-day who have merely permits and no licenses?—A. Yes, sir. They have not got to pay a dollar. We pay \$2 per hundred cases, and if it is 102 cases we pay \$4, and these men go scot free.

Q. Will you tell me who they are?—A. Charlie Vigneault, Sea Cow Point, and Daniel Fraser of Cascumpeque Harbour.

Q. I do not understand that at all, I do not see how that can be.—A. I am telling you what are the facts, you can call up anybody in the room.

Q. These men you say are running canneries?—A. Yes.

Q. Employing and paying fishermen, packing lobsters and selling them?—A. Yes.

Q. And yet they have no license?—A. No, sir, they say they got a permit. Vigneault got his two years ago. Daniel Fraser, this is only his first.

Q. These must be what they call co-operative factories; if so they have a license. The license is not in the name of the individual who appears to be running the cannery but it must be issued to somebody. You see the department consents to issue licenses on the co-operative plan.—A. If that can be done there will be lots of canneries around the island.

Q. What is your opinion about the practice of issuing licenses to aliens?—A. I don't think it should be done.

Q. Do you think the amount of gear fished by any cannery should be limited?—A. I think to-day we have too much gear in the water.

Q. We pretend to limit the number of licenses but we do not limit the amount of gear.—A. If we give more licenses there will be lots more gear.

Q. Unless the amount of gear fished by each individual canner should be limited?—A. Yes.

Q. Do you think it would be wise in issuing a license to limit the amount of gear fished?—A. I do.

Q. Do you think there is a tendency on the part of the heavier operator to increase the amount of his gear and crowd out the smaller operators?—A. I think these

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packers that have got 15 to 20 boats, if they were cut down to one-half it would take that much more gear out of the water. Of course us little fellows are not in it at all.

Q. How many lobsters does it take to fill a pound can with you?—A. There is one thing I am going to ask you: How are you going to preserve the berried lobsters?

Q. How would you preserve them; can we persuade the fishermen to put them back in the water?—A. They can stand lots of persuasion. Half the fishermen we have in this country are farmers. They will say: 'Well, never mind, when this thing is played out we have our farms to fall back upon.' In our case we are fishermen, we have to drag our living out of the water, we have not got farms. These men have got good farms and when they play this business out they can fall back upon those farms. We have got no farms to fall back upon.

Q. Would you favour issuing a license to the fisherman as well as to the canner?—A. I think we have licenses enough.

Q. How are we going to limit the fishery to the actual fishermen? It is from you people that we have got to get suggestions that will enable us to formulate proper regulations for the fishery.—A. I am a fisherman as well as packer. I fished for 25 years.

Q. What do you say? How are we going to go to work to protect the berried lobsters? You admit that must and should be done?—A. It is all in a nut shell. There is just this to it: The government will have to give each fisherman a bounty, let it be little or much, to chuck away those spawn fish. One half the fishermen to-day if the packer will not take the berried fish, will take their mitt and slash the spawn off. It is much better to take the fish ashore than do that. There is just one thing for the government to do—to give the fishermen a little bounty to protect the spawn lobsters and take care of them.

Q. How would you suggest taking care of them?—A. Chuck them away.

Q. If you throw them overboard you will catch them to-morrow?—A. Chuck them away again.

Q. Then we would be buying them over and over again?—A. No, only once.

Q. In what way should the bounty be paid?—A. To each fisherman fishing in one of these boats.

Q. How much would you pay?—A. I am not prepared to state that at all.

Q. How would you get funds to pay that bounty, would it be fair to ask a canner to pay an increased fee?—A. I think he is paying enough.

Q. A fee of two cents a case is not a serious charge. I am afraid the majority of people would turn round and say 'This industry must pay for its own protection'; the ordinary taxpayer would not care to pay that sort of bounty.—A. That is all right. I suppose the fisherman that has got to drag his living out of the water would not ask for a bounty, but as I tell you the biggest part of the fishermen are farmers and when they play the business out they will say: 'We don't care, we have got our farms to fall back upon.'

Q. The spawn is hatched sometimes in hatcheries, would you favour an increase in the number of these institutions?—A. We have a splendid chance for a hatchery here. Why would not the government give us a hatchery, because we have none here?

Q. Would you favour purchasing the berried lobsters from the fishermen or from the canner?—A. Certainly.

Q. Removing the berries and hatching them out in hatcheries?—A. Yes.

Q. That would be a way of paying the bounty that would seem to be the most natural?—A. Yes, they would not want a bounty then. As far as I can understand they have very fine hatcheries at Pictou Island and Charlottetown. Well, at Pictou the fishermen save the spawn of the lobsters, a little smack goes round and gathers it up and puts it into the hatchery. That is all right.

Q. You think that is what you want here?—A. Yes, that is what we want here.

Q. Do you think it would be possible to find any place where we could establish

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pounds in which the berried lobsters could be placed to hatch out for themselves?—A. You could put a place right at Cascumpeque Harbour in this bay. We have it right here, lots of water and lots of room.

Witness discharged.

JERRY DALTON, fisherman and canner, lot 7, Burton, called and sworn:—

By the Commissioner:

Q. Do you speak as a canner or fisherman?—A. Both.

Q. In what part of the west shore do you fish?—A. Off lot 7, Burton. That would be about ten miles to the northwest of West Point.

Q. Near Cape Wolfe?—A. About three miles farther north.

Q. How long have you been engaged in the canning industry?—A. About twelve or fifteen years.

Q. Before that did you fish?—A. Just a few years.

Q. Do you run more than one cannery?—A. No, sir.

Q. What number of boats do you fish?—A. We have just the one boat and do our own fishing and packing.

Q. Do you buy from other fishermen?—A. No, sir.

Q. You confine yourself to one boat?—A. Yes, sir.

Q. What number of cases did you pack this year?—A. We carried on the business a little different this year. There was another man that took our license privilege like, and he packed and I put my lobsters in with him. This man had brought from about fourteen or fifteen boats.

Q. Was there only the one license for the cannery?—A. Yes, sir.

Q. But the other man operated on your license?—A. Yes, sir.

Q. Who was the other man?—A. The Hon. Benjamin Gallant.

Q. Is he interested in other canneries?—A. No, sir, that is the only one that I know.

Q. Are there many other canneries along that shore?—A. Well, there are some all along. The Portland Packing Company run quite a business about two miles from our place, and there is another factory at Campbellton, that is, three miles away.

Q. What is your experience with regard to the condition of the lobster fishery? How does it compare with the condition when you began packing?—A. This year it is very dull indeed.

Q. What was it due to, bad weather?—A. That didn't affect it.

Q. To what do you attribute the poor fishing this year?—A. It is pretty hard to say. Some seem to think that the lobsters took a different course in their travels this year. There was a great deal of ice around and they think they went in other directions.

Q. Has that been the experience of other canners in your neighbourhood, all along that shore, that the fishery has been a poor one?—A. I have heard different ones speak to that effect.

Q. Would you say that between North Cape and West Cape the fishery generally has been poor this season?—A. Very poor indeed. I don't think there is a fisherman on that shore, when all expenses are paid, that will have a cent coming to him. Last year and the year before there was very good fishing.

Q. On the whole how does the fishery compare with the time when you commenced packing; is it falling steadily?—A. I cannot say that. Last year and the year before were our best seasons.

Q. How does the run of lobsters compare with what it was when you began to pack?—A. I think it is just about as good.

Q. What percentage of undersized lobsters do you take?—A. I could hardly say, but I don't think there are many. The lobsters are pretty uniform in size.

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Q. Have they always been so? Of course there are certain parts of the coast where the run of lobsters is better than at others. The lobsters were measured this year at your cannery?—A. No, sir, not that I know of. They may have been there when I was absent. There was some notice given to that effect and I sent to Mr. Gallant to look after it.

Q. What has been the practice in the past on your section of the coast? Have the canners received everything that was brought to them by the fishermen?—A. Yes, I think so.

Q. Was the regulation regarding berried lobsters enforced this season, do you know?—A. I don't think it has ever been enforced very strictly, the fishing was so poor.

Q. You were inclined to pack everything that came?—A. And they did not follow the fishermen up very closely. Of course it is hard enough upon them when they have to throw those fish away.

Q. As a man of some experience what would you suggest as the best regulations to be enforced with a view of protecting the lobsters? There is no doubt the industry is running down?—A. I think hatcheries would be of great benefit.

Q. Do you believe it would be an improvement and permit the escape of a fair number of lobsters if the slats in the trap were put farther apart?—A. I rather do. I don't see that those small lobsters are much good.

Q. Is it not wrong to destroy the immature lobsters, is that a question there can be any doubt about?—A. I would rather be inclined to think the immature lobsters should not be taken.

Q. Nor the berried lobsters either?—A. Well no, they should be protected of course. But as I say in a poor season like this, if the fisherman has to throw these lobsters away and get nothing for them at all it is pretty hard. You must remember there are a great many fishermen dependent on the fishing.

Q. Would you favour shortening the season and closing on the 1st of July instead of the 10th?—A. I don't think the season is any too long.

Q. It is proposed to do away with the size limit, that is a regulation that has never been enforced, and appears to be very difficult of enforcement?—A. Yes, I believe that.

Q. Supposing we do away with the size limit altogether? We must have some slight return for that and the compensation we would expect would be a slight shortening of the season. What would you say to a regulation which would do away with the size limit, permitting you to can practically everything you caught, and provide for the escape of a certain proportion of small lobsters by an increased space between the slats of the trap? We would expect to shorten the season to the 1st of July in return for that. Do you think that would be an unfair proposition?—A. I do not.

Q. We would expect that after a few years owing to these measures, the run of lobsters would improve, that you would get more lobsters and larger lobsters and thus recoup yourself?—A. No doubt it would benefit the lobster fishery but you know the fishermen are, some of them, pretty hard——

Q. It might cause things to slacken for a little while but in the end you would gain by it?—A. That is right.

Q. It has been proposed to close down for a number of years and in that way allow the fishery to recuperate; do you think that would be a hardship?—A. I think it would.

Q. Do you think if the present size limit were enforced the canners would be put out of business?—A. I think not.

Q. Practically all the packers that appeared before the Parliamentary Committee last year stated that if the size limit were enforced it would put them out of business?—A. Is that possible? Well I would not think so. With the lobsters we get I don't think it would.

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Q. About North Cape the run of lobsters must be very much larger than you find in some other places?—A. The west shore is very much like North Cape. On the south side, around to Summerside and that coast, I think the lobsters are very much smaller. Probably it would affect them seriously that way.

Q. Could you give us any idea of the percentage of berried lobsters that you take? How many in a hundred are berried?—A. I really could not. They seem to be very scarce, noticeably so this year.

Q. What is the smallest size lobster you ever saw bearing eggs?—A. I don't think I ever saw anything under 9 inches.

Q. What would be the average run of the female egg-bearing lobsters?—A. About 10 and 11-inch lobsters, as near as I can judge.

Q. Could you venture to tell me how many they run to the hundred?—A. This year I don't think it would be more than four or five, in other years probably eight or ten.

Q. If the canners absolutely refused to receive berried lobsters at the cannery what would happen?—A. Well that depends on the lobster fishing. If the lobster fishing was poor I think it would certainly put some of the fishermen out of business.

Q. If the canners refused to accept berried lobsters would the fishermen put them back in the water?—A. I think so.

Q. Is the practice of stripping or rubbing the eggs off the female lobsters carried on to any extent in your neighbourhood?—A. Not that I know of, it may possibly be done.

Q. Do you think the average fisherman would be likely to return the berried lobsters to the water, or brush the eggs off and bring the lobsters in?—A. If he could brush the eggs off, and do it so it would not be known, I think the chances are that he would do it.

Q. Do you think there is any way of getting at the fisherman so as to induce him to protect the berried lobsters?—A. The only thing I can see is to have a hatchery and have them bring their lobsters there.

Q. Is there any place along the west shore where pounds could be established—A. I think at what they call Big Miminigash would be a fine place.

Q. We want an inlet with a narrow mouth, having a large area of water of sufficient depth. What water have you got there?—A. Well, I can hardly tell you. There would be several square miles with a pond inside.

Q. What is the depth of water, two or three fathoms?—A. I daresay there would be a couple of fathoms and a narrow inlet, I should say about 50 feet, so that schooners can go right in.

Q. Is it much used as a harbour for fishing vessels?—A. There is quite a lot use it.

Q. Is there any means of barring it above where the vessels use it?—A. Yes, it could be because the vessels just come in about a hundred yards or so. There is a wharf on either side, that would be all right.

Q. You heard the evidence of the other witnesses?—A. Some of them.

Q. Do you approve of that evidence in a general way?—A. Yes, especially about the hatchery.

Q. Do you think you can stand a slight increase in the end of the season, doing away with the size limit, widening the space between the slats and protecting the berried lobsters by hatcheries, pounds or any other way?—A. I think so.

Q. You think if these measures are carried out there is no doubt about the future of the industry?—A. I think that is correct.

Q. Is there anything else you would like to express an opinion upon?—A. I don't know that there is.

Witness discharged.

Commission adjourned.

SUMMERSIDE, August 2, 1909.

JOHN J. McNALLY, packer, Cape Egmont, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. Altogether on my own account, for the last 17 years.

Q. And prior to that what did you do?—A. I had been working in factories for the last 28 years.

Q. Where is **your** cannery situated?—A. At Cape Egmont.

Q. Are you interested in more than one cannery?—A. Just one.

Q. How many boats do you employ?—A. 13.

Q. Do you supply the boats and the gear?—A. Ten of them.

Q. And three of them are boats that are selling their catch to you?—A. Yes, sir.

Q. What number of hands do you employ in the cannery, that is men and girls?—
A. Inside, 13 hands.

Q. Are there two men in each boat?—A. There are two boats, single.

Q. What is the **capacity** of your cannery, what did you pack this year?—A. Up to date between 340 and 350 cases.

Q. What is the largest pack you ever made?—A. Between 750 and 800 cases.

Q. When did you make that?—A. Three years ago. Last year my pack was 630 cases.

Q. You are still running this year, will you go up to that—A. I don't think so.

Q. Are you fishing a larger amount of gear now than when you first began to pack?—A. No, just about the same. Well, for the last seven years I have been fishing a little larger. I bought another factory seven years ago. I was running at a smaller cost up to seven years ago. I have not extended since; it is about the same gear for the last seven years.

Q. Is it your opinion that the supply of lobsters is being kept up by taking lobsters that formerly would have been rejected, as well as using an increased amount of gear; are you keeping up your pack by making an extra effort?—A. I don't think we are quite. Some years we do better and other years we do poorly. It seems the fish are later in coming in some seasons than in others. They are later coming this year.

Q. Is there a very extensive fishery carried on in the neighbourhood of Cape Egmont—A. Yes.

Q. Are there many other canneries licensed there?—A. Oh, yes, I guess there are six or eight factories in the vicinity of six miles.

Q. Your season here is from about 25th May to the 10th August. During that time what is the best period of the fishery?—A. The latter part of the fishing. We find from about the 20th July as a rule up to the 10th August we get the most fish, up to our closing time we get the most in number. Of course there is a difference in years. Last year we began to pack about the 1st June. A year ago up to the 20th June I had 184 cases, and this year on the 21st July, starting the same time, I had only 183 cases.

Q. Have the regulations ever been strictly observed in your neighbourhood?—
A. No.

Q. They never have?—A. No.

Q. As regards the berried lobster or as regards size?—A. As regards size, no. As regards the berried lobsters we looked after them this year very carefully.

Q. Was this the first year that was done—A. It was the first year.

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Q. What led to that?—A. The department notified us.

Q. At what period of the fishery do you find the most berried lobsters?—A. In the early spring.

Q. Do you think the spawning season has passed before you close down?—A. Oh, yes.

Q. What percentage of your catch would be below the legal size limit?—A. What size limit is it? The fact of the matter is we hardly know. It is nine inches is it?

Q. It used to be nine inches and then it was reduced to eight.—A. Eight inches. In my catch this year I venture to say there would be 50 per cent.

Q. How does the catch in the neighbourhood of Cape Egmont compare with the catch up about Cape North, do the lobsters run larger?—A. There are larger fish at Cape Egmont.

Q. You get the larger fish?—A. We get larger fish at Cape Egmont than they do at Cape North.

Q. Can you tell me how many fish it will require to fill a pound can?—A. On an average?

Q. Yes.—A. Well, it will take about four fish to fill a pound can on an average, four or five fish. That is what I get. Of course there are different sizes. Along Cape Egmont and farther off they are smaller. I fish right off a ledge there.

Q. Far from the light?—A. No, just exactly at the light.

Q. Do the fishermen expect you to take everything they bring in?—A. Oh, yes.

Q. What would happen if you lived strictly up to the regulations?—A. Well, they would not fish at all I don't think.

Q. Some witnesses stated in the evidence before the Parliamentary Committee last winter that a strict enforcement of the law would put them out of business, they could not run.—A. No, they could not run I do not think.

Q. And you think the fishermen on the other hand would not fish?—A. The fishermen would not fish and in that way we could not operate the factory.

Q. Where you are fishing your own boats and gear and hiring men by the month, would they not fish; you do not do that here?—A. We don't do that. We supply the rig mostly and give them so much.

Q. Is it on account of the small run that you are able to do that?—A. Supply the rig?

Q. No, that you engage the fishermen in that way?—A. I don't know that it is.

Q. In many places the fishermen are hired by the run.—A. We would prefer hiring them by the hundred because they interest themselves more.

Q. Do you think that the lobsters approach the shore for the purpose of spawning?—A. I don't think so, not on our coast. We get as many spawn lobsters in the sea as inshore.

Q. What distance off shore do you fish?—A. From one to six miles.

Q. What is the greatest depth of water?—A. Twelve fathoms.

Q. Then you get as many egg bearing lobsters off shore as you do near the shore?—A. Yes.

Q. Have you any idea as to the spawning habits of the lobster, whether the lobster spawns every year, or twice a year or every second year?—A. If you take a female lobster that has no spawn about it and separate it, you will find the roe inside in every one. So by that it appears to me as if they spawned every year or once a year.

Q. What period of the year would you think was the spawning season?—A. They spawn in the early spring on our coast. Of course you will get an odd berried lobster at present but the most of them are in the spring.

Q. What is the smallest size at which you have ever known a female lobster to carry eggs?—A. Eight inches. I measured several and eight inches is about the smallest size I have over seen.

Q. What would be the general run of egg-bearing lobsters?—A. Anywhere from nine to ten inches. They are generally fairly good sized lobsters.

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Q. At what size would you consider the lobsters to be fully matured?—A. About eight inches.

Q. Is there any part of the season when lobsters are not fit for human food purposes?—A. There is no time that I find them not fit, but only when they are really soft. When they get their second shell and get hardened up I consider they are fit for food.

Q. What percentage of the lobsters taken in the traps in your neighbourhood will bear eggs?—A. Well, in the early spring about 75 per cent would some years.

Q. That is in certain runs?—A. This year not so much. Now there would not be any more than two or three lobsters in a thousand I would say.

Q. When you were taking 75 per cent of berried lobsters that must have been for a very short season surely?—A. In the early spring. That is we have counted them at times. That was my own experience, of course I don't know any other man's.

Q. All through the season what would you put the average at?—A. I would hardly know. This year we threw them out. I could hardly say what the average would be this year.

Q. It would be hardly 75 per cent?—A. No.

Q. One-half the lobsters are males and the female lobsters do not all bear eggs extruded?—A. It would be hard for me to make an average. I notice there are very many more in the early spring.

Q. Is the practice of stripping or washing off the eggs from the female lobster followed by the fishermen in your neighbourhood?—A. Not to my knowledge.

Q. They have always brought the berried lobsters in?—A. Until this year. It is almost impossible to have that regulation carried out by the fishermen. Of course you cannot always tell. I had fishermen come in this year who were willing to bet \$10 and put the money down that they had not a berried lobster in their catch. It was only after the lobsters were boiled and put on the cooler that you could pick them out. There would be one or two.

Q. Do you think it would be difficult for the fishermen to comply with the regulation requiring them to put the berried lobsters overboard?—A. They might be as determined as could be to comply with the regulation, and still if an officer came he might catch them right off.

Q. Do you think there is any disposition on the part of the fishermen to observe the berried lobster regulation better than they have been doing?—A. There is just one thing they claim: They claim that if there was a hatchery they would bring the she lobsters in and have spawn preserved the same as they do along the New Brunswick coast, south of us some distance.

Q. That is within a short distance of a hatchery; there is a limit to the distance you can go to collect the eggs for that hatchery?—A. Well, that is about what they say, the fishermen.

Q. If the canners refused to accept these berried lobsters would it not have the effect of inducing the fishermen to return them to the water?—A. Certainly, they would return them to the water I suppose.

Q. Have the canners made any scruple about accepting berried lobsters?—A. This year they have. Well, I am speaking for myself. I have given the fishermen strict orders not to bring in berried lobsters, and they have obeyed them as much as possible. I am well aware of that.

Q. And you think the best way, or the only way, of getting the fishermen to protect the berried lobsters would be to bring them ashore and take the spawn to a hatchery?—A. Yes, I really do think it is the only proper means along the coast, because to my mind if they are left out, there is an army of perch and other fish that will devour the spawn.

Q. Do they tear it off the lobster?—A. I don't know where they get it.

Q. Of course you know the lobster does not part with its spawn. It retains it

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until it is hatched out?—A. It hatches out its spawn, but it does not deposit the spawn all at one time, because I have noticed even this year a lobster with perhaps a hundred or two hundred spawn on it and the rest all gone.

Q. The eggs do not all leave at once? What would you think of a proposition requiring the canners to pay an increased fee, instead of two cents a case, as at present, and in that way realizing a fund for the purchase of the seed lobster from the fishermen? The general public would say, of course, that the lobster industry ought to pay for its own protection?—A. I would not think that was good. I think the packer is paying enough now.

Q. The present fee is only a bagatelle?—A. It is, but still I don't know; I don't think that all should come out of the packers.

Q. I suppose it would eventually come out of the fishermen if it were imposed. Is there any opportunity in the neighbourhood of your cannery for the establishment of pounds? That is one of the methods most highly recommended for the preservation of the berried lobsters?—A. That would be to put them in a place like a bay, would it?

Q. You would want an inclosed place with sufficient depth of water and a considerable area?—A. What depth of water?

Q. Not less than two fathoms or the water would get too warm?—A. There would be a place inside the lighthouse, inside the reef, I suppose. We have a bay, but there would not be that amount of water in it. There is a place, however, inside of Cape Egmont reef. Right up in Egmont bay would be a good place, but there would not be enough water there.

Q. Would you favour any change in the present size limit?—A. Well, if we only took the 8-inch lobsters we would be getting very few, some years especially. I would think the fishermen could take them smaller than 8 inches.

Q. Do you think it is wise to take the lobster before it has reached the age at which it reproduces itself; what must be the ultimate effect on the industry if we destroy the immature fish?—A. Of course that is about the size of it. If you destroy the immature fish of course you might destroy the industry.

Q. Has there been any noticeable decline in the average size of the lobsters caught in your district within the last ten years?—A. No.

Q. During the last 30 years then?—A. Yes. At first they were larger than they are now, but in the last ten years I think they have just about held their own.

Q. When was lobster canning first introduced in your neighbourhood?—A. About 28 years ago.

Q. They were canning on the north side before they canned there, were they not?—A. I was pretty young then. There was only a factory at New London Harbour previous to that. The first man who started a factory here came from New Brunswick about 28 years ago I think.

Q. To what do you attribute the decline in the size of the lobsters?—A. There is not much decline on our side.

Q. But during the last 30 years, since canning first came into vogue?—A. The lobsters had not been caught I suppose and when they began to catch them they picked up all the old fellows first.

Q. Would you be of the opinion that the decline is the natural result of over-fishing?—A. Well I do not quite think that they are overfished. I think the cause of the fish not being quite so plentiful is due a great deal to the factories themselves in fishing by leaving out old traps and taking up some of the ground that the lobsters used to be on. That is a matter I think should be dealt with by the department. Of course if one packer tells a fisherman he can leave out a lot of old traps that won't be of any use for next year, then the fisherman cuts them loose.

Q. Is there old gear left in the water?—A. There has been a terrible lot of old gear left in the water along the Straits. I attribute the poor fishing in sections to-day to that. That is the cause of it. I think if that was looked after better the fishing

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would be better. My reason for that is there will be boats fishing in the straits, and within a distance of five or ten chains one boat will be getting good fishing whereas the others on each side of him will be getting nothing.

Q. What becomes of these old traps; do they not break up eventually and disappear, do not the worms destroy them?—A. They gather a terrible lot of dirt, I imagine, at the bottom. They will mostly sink like a stone and having been so long in the water stay at the bottom.

Q. Does it pay better to leave them in the water than to save them?—A. The fishermen should bring them ashore.

Q. Are they worth saving?—A. They are usually not worth saving, old traps.

Q. What is the life of a trap?—A. Generally three years.

Q. Are the traps at Cape Egmont injured by the borer?—A. Not off Cape Egmont.

Q. Why was the season changed in your division?—A. The fish never struck in to any extent until from the 15th to the 25th or 26th July every year. We had an early season, the same as they have on the north side, at first and we found our fish never struck in to any extent until from the 15th to 28th sometimes, of July. For that reason we gave up the month of May, or up to the 25th of that month.

Q. Was that always the case in the Straits?—A. Mostly always the case.

Q. What would you attribute that to?—A. I can hardly say. The fish come in there later in the season than they do elsewhere. It is only just a narrow strait in places and the lobsters come in there later in the season.

Q. Do you think that was the case before there was so much gear outside at either end?—A. It was the case always.

Q. Was it so at the beginning of the fishery?—A. Yes, it was the same always. Even when we began fishing, there never was any after the first couple of years; the fish did not come in some years. They used to have the season very nearly up to September, up to the 20th August.

Q. There was no regulation at all at the beginning?—A. They used to fish in the early season up to July then. I have known packers not to get fish of any kind up to the 1st of August and then they get a good catch.

Q. How would fall fishing suit in that neighbourhood?—A. It would suit up in the bay. Farther west than our district it might suit, but off Cape Egmont I hardly know whether the fall would suit us any better or not. We have no harbours there and it would be very windy. There would be an awful destruction of gear very likely.

Q. The statement has been made authoritatively that a strict enforcement of the 8-inch limit, together with the assistance of hatcheries and pounds, would perpetuate the lobster industry; would you concur in that statement?—A. Well if they put up a hatchery I don't think they need be so very severe on the size limit. I would think they could give us a little smaller sized fish then.

Q. Would you favour reducing the size limit to 7 inches?—A. Yes, I would.

Q. Or would you abolish the size limit altogether and shorten the season?—A. No, I would not be in favour of that.

Q. Is it possible to enforce the size limit regulation?—A. In certain sections of the Island I suppose you can. In other sections it would be pretty hard to.

Q. It never has been enforced?—A. No.

Q. Is it your opinion that 30 per cent more lobsters in number are required in the fall than in the months of May and June to fill a pound can?—A. Yes, it takes more.

Q. Will those lobsters fill up as the season advances?—A. Yes.

Q. Is it the case that canners are compelled to accept undersized or berried lobsters for fear of losing their fishermen?—A. Yes.

Q. How many pounds weight of green lobsters does it take to fill a pound can?—A. It takes about 200 pounds to a case. That would be four on an average.

Q. It has been suggested that for the better control of the lobster fishery, fisher-

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men should be required to register and take out a license at a nominal fee; what do you think of it, do you think it would have the effect of making the fishermen observe the regulations?—A. I believe that it would prevent them fishing altogether, they would not fish at all.

Q. Of course the fee would not be anything excessive. The idea of some people seems to be that if the fishermen were registered and licensed to fish, they would observe the law better?—A. Some would. I hardly know how to answer that.

Q. Do you think such a thing would have the effect of leading the fishermen to observe the law and report the violations they happened to notice?—A. I don't think that would.

Q. In a sense to make each fisherman a fishery officer on his own account?—A. I don't think that would have such an effect.

Q. Were the regulations for the protection of the lobster ever observed in your district?—A. No, not until this year.

Q. What would be the effect of strictly enforcing the present regulations?—A. If the present regulations were strictly observed you would not get very many fishermen to fish.

Q. Are the existing penalties sufficient to deter packers from violating the regulations if they were enforced?—A. I guess so.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry, and should the issuance of further licenses be discouraged?—A. There are licenses enough, too many as far as I can see. You can judge for yourself when I tell you that within a distance of about six miles there are eight factories in operation.

Q. Is there any reason why a man who shows his competency to pack lobsters should not be given a license?—A. Every man thinks he is a competent packer but he sometimes does not prove to be.

Q. You ought to find out by experience?—A. His experience sometimes is very bad to others that do know how.

Q. You do not think that one man has as much right to a license as another?—A. If any man wants a license he can have mine.

Q. Do you think any restriction should be put upon the number of licenses to be held by a company or an individual?—A. In some places we notice scores of canneries all licensed by the same party. I know on this island parties have bought up a lot of licenses.

Q. Does that have the effect of squeezing out the small canner?—A. Not on our coast.

Q. Do you think there should be any limit placed on the amount of gear that any canner should use? We limit the number of canneries but not the amount of gear to be fished?—A. I suppose if the fishermen had not their own rig; but if they had their own rig and wished to sell to a factory it would be a choice of selling more to one than to another. One packer might have a whole lot of traps.

Q. Do you not think the amount of gear should be limited?—A. I think it would be just enough but in that way a man putting out his own rig might be limited. As far as purchasing fish from the fishermen, I think he should be at liberty to purchase from whom he wished if they had a rig of their own.

Q. We find many canneries where they are employing altogether their own gear and fishing a very large number of boats. Do you not think that must have the effect of crowding out the small men, the independent fishermen?—A. Where they have their own rig?

Q. Yes, an enormous amount of their own rig?—A. On our coast there are not very many with their own rig.

Q. In the future interest of the lobster fishery would you favour a general closing down for some years?—A. For my part I would just as soon see it close as not for two or three years.

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Q. What would become of the fishermen in the meantime?—A. That is a question. I think it could be better arranged than that.

Q. I do not say it will be arranged that way, that is merely a suggestion that has been made.—A. I don't think it will be suitable at all.

Q. The Lobster Commission of 1898 recommended that temporary reserves should be established in various sections, that is to say you should close down by sections and move on continually—close one section down for a couple of years then afterwards fish there and shut down somewhere else, and keep that going all round the coast.—

A. I don't think that would be advisable to do. If they close at all close all round.

Q. During what period of the season is the lobster fishing most actively prosecuted with you?—A. About from the 20th July to the end of the season.

Q. Is the present regulation regarding the close season satisfactory?—A. Yes, I would think so; as far as I am concerned it is. At Cape Egmont we enter into a bay and what suits just off our coast does not exactly suit some other packers up in the bay.

Q. A different season begins at West Point does it not?—A. Yes, the early season begins there. Egmont Bay seems to get the fish a little later than we do. It is only a short distance and I don't think the fish move very fast. Some way or other they get them after we do mostly.

Q. Has any attempt ever been made to look for lobsters in the winter?—A. No, not for lobsters.

Q. Of course if the size limit were abolished, as has been suggested by some, and you were allowed to catch fish below 8 inches in size, we would naturally look for a shorter season to compensate for that?—A. I do not know as to that. It would be just according to what time we had the season. Of course even as it is, some years our fish come in later than at others and in more years they come in earlier than at others. A shorter season would suit some years and it would not others.

Q. How would a season beginning 15th July, and closing at the end of September do?—A. I don't know. Some years it might and more years it would be very bad on our rig, our traps. It would be pretty rough and they might get all smashed in a very short time. There is no harbour for our boats. We fish in the open sea and it would not suit us very well. That is not myself, I am speaking for myself.

Q. On the corresponding shore of New Brunswick, abreast of you, witnesses seem to favour that change in the season there?—A. They have more shelter I guess.

Q. I do not think they can have much. If a northerly wind prevailed towards the fall they must feel it worse than you.—A. Well, they have harbours in which to keep their boats.

Q. In some places, but not everywhere. Would you favour a universal coast season for the whole Atlantic from July 15th to January 1st?—A. No, I don't think I would; not for the whole of it.

Q. Do you think it would be possible or right to establish a standard of fitness for a license to can?—A. Yes, I would think it would be.

Q. Do you think the product of the canneries should be inspected?—A. I would think it would be all right to have it inspected.

Q. Do you think the existing staff of fishery officers would be competent to make that inspection?—A. I think they should be.

Q. Would you refuse a canning license to an alien?—A. Yes.

Q. What would you think of the policy of encouraging the fishermen to co-operate in canning?—A. Well, I don't think it would be very advisable myself, I would not approve of it.

Q. Are there any co-operative canneries licensed in your neighbourhood?—A. No.

Q. What is the price at present paid for lobsters in your neighbourhood?—A. Those that I supply by count—the fishermen won't sell by pounds on our coast, we buy by count—we pay them 60 cents a hundred and find everything. Those that I am buying from, I pay \$3 a hundred pounds. They sell by weight. We find the rig.

Q. Who establishes the price?—A. Both fishermen and packers. They have a hard time to settle it. We give all there is in it and I guess more too.

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Q. Are you aware of any complaint by the fishermen that the price paid for lobsters is not satisfactory?—A. They have not complained on our coast.

Q. Is it the case that any fishermen have lost their catch of lobsters owing to the refusal of the canners to accept them?—A. No.

Q. Was the price paid by you this season as high as that paid last year?—A. No, we did not pay so much this season.

Q. It has been alleged that in some places the fishermen have suffered injury by the failure of canners to operate their canneries although a sufficient supply of lobsters was available; has any such instance come under your notice?—A. No, sir.

Q. What market would the fishermen in your neighbourhood have for lobsters if the canneries were closed?—A. They could not find any market anywhere.

Q. Has there ever been any attempt to ship lobsters alive to market?—A. Yes, there have been attempts made.

Q. With what result?—A. It did not prove a success.

Q. The necessary facilities for that purpose do not exist?—A. The facilities do not exist. There was a party from Boston who tried to make it a success and failed.

Q. Should the shipment of live lobsters be favoured in preference to canning?—A. We cannot ship live lobsters here. We are too far away from the market.

Q. Do you know what price has been paid for live lobsters?—A. I think 8 cents a pound, between four and eight at times. That is those that are shipping them.

Q. From your experience can you say whether the government hatcheries have helped to maintain the supply of lobsters or not?—A. I cannot say because we have no hatcheries here. I know on the New Brunswick coast they claim they have been of great help to them altogether.

Q. Would you recommend an increase in the number of hatcheries?—A. Yes.

Q. Are you fishing the same style of trap now as when you began?—A. Yes, the same trap.

Q. You are not using the parlour trap?—A. Oh, the parlour trap? I have been using that ever since I started in myself.

Q. Why did the parlour trap supersede the original double headed trap?—A. For the reason that if, on account of bad weather, a man happened to be two days from his traps and went out, he would find the lobsters there. You lost more when you were pulling up the trap with rings at both ends.

Q. The idea is that the parlour trap holds all it takes?—A. It does not hold because they squeeze out through the laths, lots of good sized lobsters too.

Q. What is the space between the slats in your trap?—A. From three-quarters to an inch and a quarter.

Q. Do you think there would be anything gained by insisting upon a greater width between the slats, would it help to preserve the small lobsters and allow them to escape?—A. It would let some out, but you would get a lot of small lobsters just the same.

Q. Do you not think that the new trap, especially with the narrower space between the slats, has been unusually destructive?—A. I don't know. I cannot say it has been on our side, because our fish are just about the same with any sized trap, that is on our coast.

Q. Is there any other matter connected with this inquiry upon which you would like to express an opinion?—A. No, only that I would like to see the department take up the matter of old traps, and have every packer make his fishermen land his rig and put him under a penalty if he did not, fishermen and packers both. I would not allow any of the traps to be left out.

Q. Do you think there is any disposition on the part of the fishermen to observe the regulations, especially in regard to berried lobsters, more faithfully; are the fishermen beginning to understand the necessity for the better protection of the lobster?—A. They are. They are beginning to understand that the berried lobster is not protected. But they claim that although they are heaving the spawn lobsters out

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there is a lot of spawn destroyed, and it is no good when it is left there to feed other fishes.

Q. They are mistaken in that because the female lobster retains its spawn until it is hatched out.—A. But even when it is hatched out they are not even alive to protect themselves. They are left there and any other fish can come along and pick them up.

Q. The eggs will still be attached to the mother until the young lobster emerges?—A. I understand that in a hatchery they have in New Brunswick, they keep the young lobster until it is from three-quarters to an inch and a quarter long.

Q. They do not keep the young lobsters very long, they have to put them out.—A. The man that gathers the spawn was telling me at different times. As to the destruction of spawn there is a factory above Egmont Bay. Last year they got a very big eel. They noticed him very big and fat and thought he was full of small lobsters likely. They split him open and took two pound cans and half a can of lobster spawn out of him. That would be a considerable amount for one fellow for a meal. If there were many more eggs destroyed in that way they would be nearly all devoured. My opinion is that the perch and other fish also devour the spawn of the lobster.

Witness discharged.

JOHN G. ARSENAULT, packer, Cape Egmont, called and sworn:—

By the Commissioner:

Q. You are from the same neighbourhood as the previous witness and heard the evidence that he gave?—A. Yes.

Q. Do you coincide with his testimony?—A. Yes, I agree with it right through.

Q. Are there any other points that you would like to express an opinion about, anything that we did not mention to him?—A. Well, about spawn fish. I don't find although it is not very far away, that there are as many spawn fish, where they land fish, for me as they do there.

Q. What percentage of berried lobsters would there be from your observation?—A. Well, up to about the 20th June this last two or three years I don't think they would average any more than 12 or 15.

Q. And after that date in June what would you say?—A. There are not very many, I don't think there would be one per cent.

Q. Do you fish close by?—A. We fish some close and some outside.

Q. Are you located east or west of the previous witness?—A. We are east.

Q. Farther in the Strait, this side of Cape Egmont?—A. Yes, outside Cape Egmont.

Q. How many boats do you employ at your cannery?—A. Nine this season.

Q. Did you furnish the boats and the gear?—A. Clear of two. I have two that I buy from.

Q. What number of cases did you pack last year?—A. Well, last year I did not run as many boats as this year. I only put up about 300 cases with one boat less. I only had 8 boats altogether.

Q. What is the best pack you have ever made in that neighbourhood?—A. It is pretty hard to tell because I have been increasing some years and decreasing other years. I have packed as high as 80 cases to a boat some years.

Q. How long have you been packing?—A. For ten years.

Q. And before that were you engaged in the business?—A. Yes, I have been working ever since I have been able to work in a factory.

Q. What do you consider to be the conditions of the lobster fishery to-day, compared with the conditions when you began packing, or when you first commenced to

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have anything to do with the industry?—A. Well, I think there is a good many more lobsters caught now than there was then, both in number and weight. My experience is there are 3,000 traps fished now as compared with what there were 15 years ago.

Q. That is to say, there are 3,000 traps fished now where how many would have been fished—1,000?—A. I don't say they used to get more to the boat then, but there were only about 1,000 traps where there are 3,000 now.

Q. That is, to keep up the fishery you have to use an increased amount of gear?—A. We don't have to do that, but there are more going into it. It seems that fishing was a paying business for some years and every one started to go into it. There were so many went into it that it makes the profits small for all hands to divide up.

Q. If you were fishing the same number of boats and gear that you were when you began, do you think you would catch the same number of fish as at the outset?—A. Yes, I believe we would.

Q. Would you get fish of the same size?—A. Yes, I think we would, because I remember looking over my book and in 1900 up to the 30th July it took an average of $12\frac{1}{2}$ lobsters to the pound. This year we never went over 9. Of course I could not give you the average, but it would not be over $6\frac{1}{2}$ to the pound.

Q. Then the lobsters are improving?—A. They are improving in size.

Q. You are not of the opinion that the fishery is run down?—A. No, not in size. They seem to be scarcer in number, this last two years especially.

Q. What proportion of the lobsters taken by you are below the 8-inch limit?—A. I would say between 50 and 60 per cent.

Q. Do you think that in the early days of the fishing you would have taken any such percentage of undersized lobsters?—A. Well, the first of the spring they are a fairly good size, but there are a good many small ones.

Q. And always were?—A. Yes.

Q. Out of every hundred lobsters you see how many of them would be egg-bearing?—A. Do you mean outside alone? Because they have eggs inside the body.

Q. We want to know about the eggs that are outside, the percentage of what are called berried lobsters. Of course all the females bear eggs?—A. I think between 12 and 15 per cent.

Q. Was that percentage always the same to your recollection?—A. Well, in the first years I was a kind of young in the business and I never recollected them very much, but this last three or four years I commenced to take more notice.

Q. What is the smallest lobster with eggs that you ever noticed?—A. I never measured them but I would say that about 8 inches would be about the size.

Q. And the ordinary run of female lobsters is about what size?—A. Between 9 and 10 inches, they are generally a good size.

Q. And they are generally pretty full of meat are they not?—A. Yes.

Q. Have the regulations ever been enforced in your district?—A. No, sir, not that I know of.

Q. Neither with regard to the size limit nor the berried lobster?—A. No, sir, until this year. This year we have done all we can with the fishermen to leave the berried lobsters out. Notwithstanding that, they would slip in a few and they would be cooked before we would notice them.

Q. That would always be liable to happen?—A. Yes.

Q. Still there was an attempt made this year to protect the berried lobsters?—A. Yes, there was this year.

Q. But you think the fishermen generally return them to the water?—A. I think they do.

Q. Has the practice of stripping or washing off the eggs from the berried lobsters ever been followed by the fishermen here at all?—A. Not to my knowledge.

Where a canner refused to accept berried lobsters would the fishermen brush them off outside?—A. I have heard some of my fishermen say they did. They had

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heard it and they tried some one day to see whether they could brush them off or not. It used to be said that the fishermen would get them by the claws and hit them on the water. They tried that and slapped them for 15 minutes, and very few came off. It might be all right at a time when their spawn would be ready to drop off.

Q. In other places they use a brush?—A. I suppose you could brush them off.

Q. And in other places still they use only a coarse woollen mitt?—A. Oh, of course they could take them off if they had a mind to.

Q. If you absolutely refused to accept berried lobsters from the fishermen what would happen?—A. This year I heard some of my outside fishermen say—those that fish outside get more than those that fish inside—that if they had known they had to fire them away they would not have come to the shore at all.

Q. They would not fish then?—A. They said they would not come to the shore and fish at all, they would stay at home.

Q. Then they did observe that regulation?—A. Some of them. Those that fish outside where they would get as much as 20 and 25 per cent. I took particular notice of them this spring seeing that we were enforcing the berried lobster regulation.

Q. What do you think is the best way to get to work to protect the berried lobster?—A. Well, I have not got enough experience to speak about a hatchery. We never had one on our shore and therefore I could not say whether it would be any good, but it runs in my mind that it would be.

Q. Anything that will save the eggs must be of some use?—A. Yes, if they can save the eggs.

Q. On your section of the coast is there any place where a pound could be established?—A. Not as I heard you awhile ago explain. The handiest place where there would be deep water would be in Summerside.

Q. What effect would it have on you if the present size limit of 8 inches were strictly enforced?—A. I don't think I could get enough fishermen to fish so that I could stay in the business.

Q. What is your opinion of the present method of issuing canning licenses, do you think the number should be restricted?—A. As far as I know there are perhaps too many putting up lobsters now. Still it does not look quite fair for one man to be allowed to can lobsters and another man not.

Q. Would it be fair, if we entered into a general system of issuing licenses, to expect those that applied for them to show that they were able to can properly and had a cannery of a certain size?—A. No. As I said before I would not enforce that because it would be depriving some men of the right to can and giving liberty to others.

Q. Do you think that the present policy of encouraging a number of fishermen to co-operate and carry on canning is a good one? The only new licenses that have been granted within the last few years are what are called co-operative licenses; there have been several of those granted I think?—A. Yes, I know there have been, but I have had no experience of it.

Q. I think you said there has been no noticeable decrease in the average size of the lobsters caught in your district within the last ten years?—A. No, there has not, because we are getting a better size this year than we had ten years ago.

Q. Your lobsters will run larger?—A. Yes.

Q. How would a season beginning on the 15th July and ending at the last of September suit you?—A. I don't think it would suit at all.

Q. Why?—A. Because the lobsters generally commence to cast their shell about the 20th or 25th June, and some years about the 4th or 5th July. They come in very fair quantities somewhere about the 5th July. As a general rule they come about the 15th July, but some years it is nearly the last of that month. Some years it would be all right, only commencing on the 15th, and other years we would lose the best fishing.

Q. Has it been your practice to take everything the fishermen brought you?—A. Yes, sir, mostly.

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Q. How small a fish have you canned?—A. Oh, sometimes there would be an odd little lobster that would not be more than 4 or 5 inches; we would throw them in. There was never much said about it, being that there would not be very many.

Q. How would the lobsters run to the hundred pounds?—A. You mean how many lobsters would it take to the hundred pound weight? I could not tell you that, I never weighed them.

Q. How do you establish the weight in your case?—A. We buy the lobsters by count. Of course I could tell you what they would average to the pound pretty well.

Q. Please tell us then?—A. They will average about $6\frac{1}{2}$ lobsters to the pound at the present time.

Q. That is it takes that number to fill a pound can?—A. Yes, sir. That is this year. They did not do that for the last ten years.

Q. How would you favour the change that has been suggested of doing away altogether with the size limit and somewhat shortening the season?—A. Well I would favour reducing the size limit because if we were forced to observe the size limit at the present time I don't think we could get enough lobsters to continue our business. I would not be in favour of shortening the season. As to the limit I think there should be one to a certain extent, but I would not like to see it very dangerous.

Q. What would you put the limit at?—A. I should think that lobsters that would be about 6 inches would be too small altogether to destroy.

Q. Do you think a lobster 6 inches in size has reached the age at which it could reproduce itself?—A. I do not think it has. I am speaking not only for myself but the fishermen. I know that if there was a size limit of 8 inches strictly enforced they would not fish.

Q. Do you think that if it were strictly enforced, in a few years it would pull up the fishery, and the time would come when you would be able to fish at that limit?—A. I daresay that would be all right, but there would be less go into it. It am sure it would not be hard to get a license then because I would sell mine at any time if any one wanted to buy it.

Q. You would favour reducing the size to six inches and leaving the season as it is?—A. I think there should be a size limit, because where there are too small lobsters and a man has to pay for them it is no good.

Q. If you continue to destroy the lobsters before they have reached the age at which they reproduce there can only be one end to the thing?—A. I don't see that it has destroyed the fishery up to now even with the size limit.

Q. Are you compelled to receive undersized or berried lobsters for fear of losing your fishermen?—A. We never were compelled to accept berried lobsters. We never tried very hard, we never objected to taking them very hard but this year we have objected and the fishermen left them out pretty well. But it is just as I was telling you a while ago. There are some of the men fishing outside, if they had known they would not be able to put them in they would not have come to the shore at all.

Q. What would you think of the proposition compelling fishermen to register and take out a license as well as the canner; do you think that would have the effect of making fishermen observe the law and report others who violated it?—A. I don't see that it would.

Q. What would you think of closing down for a number of years in the interest of the fishery?—A. I would not think it would suit very well because people like me have a whole lot of goods accumulated at a lot of expense. You would have that gear on hand during all the time the factory would be closed.

Q. Another proposition is that we should close down by sections, is that possible?—A. I do not see that that would be any better.

Q. During what period of the season is the fishery at its best?—A. When we get the most? It is about the 20th July and the 25th.

Q. Up to the end of the season?—A. About that time we get the heaviest catch.

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Q. You are in your best season now?—A. The last week in the season was the best we are going to get because they are going down in number.

Q. Then the best of the season is over?—A. Yes.

Q. Is the present season satisfactory in your case, from the 25th May to the 10th August?—A. It is not in some years. Some years the lobsters are very late in coming in. I noticed the year before last it was pretty well on to the last of July before they struck in here at all.

Q. What season would you favour if the present one is not satisfactory?—A. I would not like to advocate any other season because if I would look one year for a later season I would be shutting myself off.

Q. You think all things considered the present season is the best?—A. I think it is just as good for us.

Q. Do you think it would be possible to protect small lobsters by making a larger opening between the slats in the traps?—A. I would not think so. Of course they should be protected if they have the openings too small, the slats too close together.

Q. They are down to one-half or three-quarters of an inch in many places?—A. They have them still closer than that in some places. They catch only very small fish and they have to throw them outside I suppose.

Q. Do you not think that if the opening was universally made one and a quarter or one and a half inches in the lower three slats, it would have the effect of allowing a number of small lobsters to escape?—A. When the lobsters are soft shelled they sometimes escape, lobsters that would be of fair size. If the bottoms of the traps are wide spaced the lobsters will shove out their claws and break them off. In that way you would injure the life of the lobsters, they would be dead before they came in.

Q. Then you would leave the space between the slats as it is now?—A. Yes, I would.

Q. Do you think the product of the cannery should be inspected?—A. Yes, I think it ought to be.

Q. Do you think the present staff of fishery officers would be competent to perform that inspection?—A. Well it is pretty hard for me to tell. They would not know very much about the quality of the goods when they are in the cans.

Q. What do you think of the policy of encouraging the live lobster trade, is it possible to carry on that trade successfully where you are packing?—A. I think so, especially if they limit the size to what size they had some years ago when they came here to buy.

Q. The foreign market exacts a certain size and the size limit for export would be made larger.—A. I don't think for a good size it would be limited.

Q. Which do you think is the most profitable to the fisherman, the live lobster trade or the canning?—A. The canning.

Q. Do you think that applies to everywhere?—A. On our shore.

Q. What price are you paying for lobsters?—A. We are paying 60 cents and we find the board and everything.

Q. And what is the price paid to those who find their own gear and sell here?—A. I buy by the case from them. I give them so much a case for lobsters.

Q. You pack their lobsters and charge them so much a case?—A. Charge them so much a case, about \$2.25.

Q. Do you think the fisherman to-day is getting a fair price for his lobsters?—A. I think they are getting all we can afford to pay them. I don't say they are getting any too much for their fish.

Q. Do you think that the thing is fairly adjusted, that the fisherman is getting all he is entitled to?—A. I think for the last few years if they did not make much money they are getting more money than we are.

Q. The price is less than last year, what is that due to?—A. To a drop in the market.

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Q. Are you aware of any case where any fisherman has had his catch of lobsters refused by a canner?—A. No, sir, not in our section. We always complain we cannot get enough.

Q. In the matter of hatcheries would you be in favour of an increase in the number?—A. Yes, I would.

Q. Do you think we could venture to charge the canner an increased fee for his license so as to raise a fund to buy the eggs for the hatcheries?—A. I would not think so.

Q. Then who is to supply the money to purchase the eggs that you take from the fishermen?—A. I don't see that we could afford to pay any higher license when we can hardly make a living out of it. We would have to drop the business and let somebody else try it.

Q. Is there anything you would like to state of your own account concerning the regulations, any alterations or improvements that you would suggest?—A. I would like to see the gear that is put out in the season all hauled in as much as possible.

Q. How long has it been the practice to leave the gear in the water?—A. Ever since I remember. It is a shorter job to leave them out there.

Q. Ever since you remember that has been the practice?—A. Yes, sir. They don't seem to think it is any injury to let the old gear that was no good lie there instead of taking it to the shore.

Q. Would that not be a very difficult thing to follow up, what check could we have on it, how could we know?—A. It would be pretty hard to compel a man to haul it in, he might lose some of his gear. Still if the law were enforced in that way and all hands had to observe it, it would surely do some good.

Witness discharged.

PATRICK SONIER, fisherman, Summerside, called and sworn:—

By the Commissioner:

Q. Are you fishing now?—A. Not this summer. I have fished ever since 33 years ago every summer but this. I am about the oldest fisherman there is here now.

Q. Do you carry on any other fishing except lobsters?—A. Yes, oysters and quhaugs. I have been mackerel fishing also.

Q. On what part of the coast have you always done your fishing?—A. Along this coast, all round the Island.

Q. Is there any fishermen's union here?—A. No.

Q. Do you generally fish your own boat and gear when you are fishing?—A. Some years I do, more I do not. I fish my own gear sometimes but not generally.

Q. When you first began fishing for lobsters in what depth of water did you set your traps?—A. I commenced in about 4 fathoms. You mean these present years or years before?

Q. Beginning away back as long as you can recollect: tell us what you did in the beginning?—A. In the beginning I was fishing in three or four fathoms of water.

Q. How many traps did you fish?—A. In those days we used to fish very few traps at the first. My first gear was only 54 traps.

Q. That was the old-fashioned trap?—A. Yes, sir, the big one.

Q. Did you ever fish with hoops or anything of that kind?—A. No, I did not.

Q. You always fished with a trap?—A. Yes.

Q. And what season did you fish through?—A. At that time I used to fish from the spring until the 20th August, that is a good long while. I commenced away back you know.

Q. And with that amount what did you catch at that time?—A. A big catch.

Q. How did the lobsters run?—A. Big.

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Q. Were they as small then as they are now?—A. No, sir, not as small.

Q. You fished a much larger head?—A. That was the reason.

Q. You do not get as many big lobsters now because they cannot enter the traps?—A. They cannot get in.

Q. How long did the fishery continue in that way?—A. It continued for a few years.

Q. Were you fishing for a cannery then?—A. Yes, sir, for George Leblanc of Cape Bald. He was down at Cape Egmont then.

Q. What amount of gear did you fish last year?—A. Last year I fished a small gear of my own. The year before I had 300 traps.

Q. In what depth of water did you fish then?—A. We fished in two depths of water then. The first season we fished right along the shore at Sea Cow Head, and after the lobsters cast their shell, moved farther in after them to about 10, 11 and 12 fathoms of water.

Q. How far off shore would that be?—A. It would be about four miles from the Head.

Q. What class of lobsters did you get?—A. Large fish.

Q. To what size did they run, have you any idea?—A. Last year we did not weigh them at all. This year there were some weighed there and they would average over a pound a piece in weight.

Q. Did you get the same kind of lobsters throughout the season or only when you went into deep water?—A. We would get the smaller fish inshore.

Q. What would you say is the average percentage of berried lobsters caught?—A. You cannot average them very well. Some seasons there are more than at others but this season on the south side—of course I was not fishing—but those that were fishing told me there were a great many spawn fish this spring, more than there used to be. I would not make an average, but I suppose there ought to be anywhere handy 20 per cent.

Q. What percentage of the lobsters taken within recent years would be below the 8-inch limit?—A. It is according to where you take them and they do not run alike on the same shore.

Q. Give the information to us the way it is?—A. This year where I was I don't believe there was more than 10 above 8 inches.

Q. Where was that?—A. Here on the North Point. I was not fishing there but I was working at the factory and could see all the fish coming in.

Q. How was it when you fished last year?—A. It would average about half on the south side or better.

Q. One half would be below the 8-inch size limit?—A. That is inshore. Outside there would not be so many.

Q. What kind of trap were you fishing these last years, a parlour trap?—A. Yes, the three headed trap.

Q. What distance do you leave between the slats of that trap?—A. About an inch.

Q. When you first began to fish what was the trap like?—A. The space was about an inch and a quarter to an inch and a half in the first trap I made.

Q. Now the slats in the trap are put closer together?—A. Yes, some.

Q. Why is that done?—A. To get the smallest fish so far as I know.

Q. Is the annual catch of lobsters by the fishermen decreasing or not?—A. Well it is decreasing some. Some years ago we used to get not more than we do now according to the season. It seems as though the fish do not work now as they did then. When the fish strike in now they seem to be numerous, but in the first part of the season it is not as it used to be. At the first season we used to get fair fishing all through, but they are slack now; you get a little spurt in the spring and then there is fairly nothing.

Q. I understand you to say you have to fish a larger amount of gear to catch the same quantity of lobsters you caught in the early years?—A. That is true.

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Q. Has the number of traps greatly increased since you began fishing?—A. Yes, trebled and more.

Q. Do the majority of the fishermen own their own boats and gear?—A. Not on the south side.

Q. What do you think about the proposition to license the fishermen?—A. I don't know what it would be for.

Q. The idea of those who have made the proposition is that if the fishermen were licensed they would be more careful about obeying the law, and more likely to inform on those that did not observe it; do you think it would have that effect?—A. No, sir, not at all. It would be of no effect at all.

Q. How does the price paid for lobsters now compare with that paid when you first began to fish?—A. It is better now.

Q. What did you get in those early days?—A. We were fishing for 25 cents a hundred pounds the first summer I fished. A fellow had to find his own board and boat and fish for 25 cents a hundred pounds then. Now I suppose with the same thing he would get about \$2 anyway. I don't know of any one fishing that way now, but they would get that now.

Q. Do you think the fishermen are satisfied with the price they are getting now?—A. It is the canners' price. When the canned goods sell high the fishermen want more, but if the price is low the canners claim they cannot pay it. The fishermen have got to have a share and the packers know it.

Q. Do you think the profit is fairly divided?—A. That is a hard thing for me to discuss, but I will tell you: The more a man has the more he wants. You know that yourself.

Q. Who establishes the price?—A. The packer himself makes his own price, says what he can do as far as I know.

Q. Is there any combination to keep the price at a certain figure?—A. There has been but it is all gone now. There was a combination on the north side. I see one shaking his head but I know better than that because I was there myself. However it is all past now.

Q. Is there any competition or are the fishermen forced to accept a certain price?—A. No, we can sell our fish or can do as we like.

Q. Is the regulation observed in regard to berried or undersized lobsters, or do you expect the packers to take everything you bring them?—A. As long as there is anything like that, they are going to take all the fishermen fetch them of course.

Q. Has the regulation ever been looked after?—A. Yes, I have seen it years ago when it used to be looked after, but these late years it has not been. It was looked after in my time both as to size and spawn lobsters.

Q. How long ago was that?—A. I don't remember exactly but I know that for two or three years it was done.

Q. What has been your practice with regard to small and berried lobsters, have you expected the canner to take them?—A. I don't know, since there is no kick with anybody, what was expected; you do all you can.

Q. Have you ever had a canner refuse to accept such lobsters?—A. Yes, in those times when the regulation used to be looked after.

Q. But not recently?—A. Not lately.

Q. Do you admit the necessity for having some regulations governing these matters with a view of protecting the lobsters?—A. There should be.

Q. Do you think the berried lobsters should be saved?—A. Yes, sir.

Q. And do you think the undersized lobsters should be canned?—A. I can hardly answer that. The small lobster is not worth as much as a big one, and if it is let go it is going to grow and be more profitable for the packer and the fisherman both, if the lobsters are sold by weight. If the fisherman sells by count it is the same thing to him.

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Q. What do you think would be the best way to get the fishermen to observe the law, you know all the tricks of the trade?—A. Keep them on land.

Q. Do you think you cannot trust them afloat? Have you ever remarked what was the smallest berried lobster you ever saw?—A. The smallest size? They are quite a size. I would not think they would be under 8 inches anyway. I don't believe I ever saw any under that.

Q. Have you had any experience of hatcheries?—A. No I never have.

Q. Nor pounds either?—A. No, sir.

Q. Do you think pounds are advantageous?—A. Sure they are.

Q. And would you advocate the establishment of more hatcheries?—A. Sure. I will tell you the reason why. About three years ago when I was fishing I was taking up a trap about four miles off Sea Cow Head and the little lobsters used to pour out of our traps—little lobsters about that long (illustrating by a gesture). We guessed they were from the hatcheries by the number of them. There is no doubt you find them right out there.

Q. Is the practice of stripping or washing off the eggs from the female lobsters followed by the fishermen here?—A. That would be telling. I cannot say it is not.

Q. They have never been obliged to do it because the canners took the berried lobsters from them?—A. I saw it done some years ago. Not lately but when it was not looked after strictly.

Q. Have you ever known of a canner refusing to accept undersized or berried lobsters?—A. Yes, I have, but not lately.

Q. If the canner refused to accept undersized or berried lobsters what would happen?—A. I suppose they would have to return the fish back to the water, that is the only thing I know of.

Q. Could you do that and still continue fishing profitably?—A. Oh, yes, we could do that.

Q. But would you make enough out of it?—A. Not to pay unless the price came up better. You mean the undersized lobsters? Oh no, a man could not put out his gear at all, he could not make enough out of it. Unless, as I say, the price would go up in the market. Whether the packer could stand it or not I could not say. It would be their own business then.

Q. Has it been the practice of the fishermen to avoid dealing with a canner who is known to be careful about the observance of the law? Some canners have always been careful and they complain that they cannot get fishermen—the fishermen will not fish for them—they will go to another canner less scrupulous?—A. That is more than I can say, I never heard that.

Q. Do you think the fishermen are more careful about returning the berried lobsters than they used to be, are they beginning to understand they should not destroy these lobsters?—A. That is right. I hear that among a good many fishermen now. This summer the outside fishermen were talking over that.

Q. Do they understand they should not destroy the berried lobster?—A. That is right.

Q. Do you think anything would be gained by having somebody go around and explain to the fishermen the advantages of observing the regulations?—A. They could meet together all right, but it is hard to get a man who can tell them anything about it unless he is a fisherman himself.

Q. Such a man would have to understand all about fishing?—A. Yes, but I don't see it would be any advantage in one way after all. The fisherman has got to learn knowledge for himself or else he is no good.

Q. You think he understands already that he should not destroy these lobsters?—A. Oh yes, that is correct enough.

Q. What would you think about leaving an extra width between the bottom slats in the trap?—A. That would be all right. There is no use to leave it between one.

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Make it all around the same. Make the whole size of the trap like that. That would be a better way. If it be the rule at all let it go all round the trap.

Q. Do you think it is of much consequence to have the space on top as well as below?—A. I don't know if it is not better having it up rather than down. If the lobsters shoved their claw into the bottom of the trap it is very likely to be broken and hurt the fish. If it is on the top when the lobster gets his claws through the trap in that way he will get clear. The bottom is no good; we have tried it here. I fished with it myself. It gives liberty to the smallest fish to get out. It is a very good thing enforcing a law like that in one sense, but how are you going to keep it?

Q. Do you not think it would be possible to watch the traps and see them before they go into the water?—A. Yes, before they go into the water it is all right, they can be inspected, but who is going to see them after they are out?

Q. Do you think the traps are going to be altered after the fishermen get out?—A. I don't say it would be done but it could be done.

Q. Is there any time of the year when you expect to get more berried lobsters than at others, and if so, what time is that?—A. Yes, it is the first of the season we have now on till the 25th of July.

Q. That is from the 25th May?—A. Yes till the 15th or 20th July. Now we get none.

Q. You think the spawning season is over now?—A. Yes, sir.

Q. Are you aware of any fisherman having had his catch of lobsters thrown back on his hands by the canner refusing to accept them?—A. Not that I know of, no one. The packers cannot get enough of them.

Q. What do you think of the proposition to close down altogether for a number of years?—A. What was it proposed for?

Q. With a view of protecting the lobster industry—A. Then they want the lobsters and not the money. The fishermen are all the other way, they want the money and don't care for the lobsters. If they closed down for a number of years there would be more lobsters would there not?

Q. Yes.—A. Less money and less price.

Q. Less money where?—A. In the cannery. The lobsters would be rushing up and it would be like it was in the first start. As I told you we were fishing then for 25 cents a hundred and now we are getting \$2 for the same quantity of fish. It is not fish we want, but it is the money.

Q. You think then the fisherman is doing better than he did in former days?—A. He is doing just as well, he gets a little more. There is no use to close down.

Q. The fishery is not in a bad enough condition yet?—A. No.

Q. Within your experience has the fishery got any worse during the last five or ten years?—A. Oh, yes.

Q. Is it still going down?—A. I believe it is, that is over the whole season.

Q. Some people have reached the opinion that the decline in the fishery has reached the limit, that the fishery has not gone down within the last five or six years?—A. Well, not much, take the last five years it has not gone back to a great extent.

Q. In regard to the department's practice of issuing licenses, do you think the number should be restricted?—A. I believe myself it was a very mean thing for the department to do in the past and it would be still worse if you continue it.

Q. What policy do you favour?—A. I favour giving every man his own chance, his own liberty.

Q. Do you think we would be justified in expecting him to show that he was prepared to can, that he could put up a suitable cannery and carry on the business properly?—A. That would be no necessity, that would be nothing in the way at all. Every buyer goes to the factory and buys the kind of fish he wants. He opens that can and looks it over. If it is not good he doesn't buy it. If he does it is a good article.

Q. You think then that every man who applies for a license should be given one?—A. That is any man of experience.

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Q. Would it not hurt the other canners if that man put up an inferior pack?—
A. If I see fish myself, that is not good, it goes back again. It is only his own lookout.

Q. Do you know anything about the live lobster trade?—A. I have not been in it myself, but I have seen it carried on.

Q. Do you know whether it would be possible to establish a live lobster trade here?—
A. It would be very hard here. That is for putting live lobsters into the market at Boston and other places. It is difficult to put them there in good condition.

Q. The facilities do not exist?—A. No, although it has been tried here.

Q. It has been said that no canner could continue in business and observe the law as it is at present?—A. At the present time, the way it is now, they are packing everything, is that not what you mean?

Q. If the law were strictly enforced could the canner continue in business?—
A. No, I don't think it.

Q. What would you think of a regulation doing away with the size limit altogether and shortening the season a little, always protecting the berried lobster of course?—A. I don't know about that. I guess the season is short enough now. As to size, eight inches is rather large, but I don't know that three or four, or even five inches is good for the packer or the fisherman very much. But an eight inch size limit I don't believe would be right. The smaller size could be taken.

Q. Do you think it is possible to strictly enforce that regulation about size limit?—
A. It is a pretty hard thing to do. It could be done, no doubt, if you posted a man at every factory and let him stay there and pay his wages. If the government is willing to do that, I don't know whether it is, that is the only way you can do it.

Q. Do you know if there is any place on the coast around here, or where you have been fishing, where it is possible to establish a pound?—A. I don't know much about pounds. How has a pound got to be made?

Q. We want a certain depth of water and a free flow of tide, but there must be no fresh water in it?—A. Would the space of a bridge do? There are some places like Egmont Bay where the water comes through the space of a bridge.

Q. What is it, fresh or salt water?—A. All salt water, four or five feet in depth.

Q. Do you think it would be possible to fish here in the fall?—A. Sure.

Q. What would you think of a change in the season?—A. A change in the season I believe myself would be the right thing at a good many points.

Q. Permitting fishing from the 15th July to the end of September?—A. That would be two and a half months, it might go a little over. There is fine weather then too. You can fish later than that. I have done so myself.

Q. Do you do it still?—A. Not now. I have not done it the last two or three years.

Q. Do you think there is much illegal fishing after the season?—A. You cannot tell, there is all kinds of fishing sometimes and there might be.

Q. Do you think there are many lobsters canned after the close of the season?—
A. That is more than I can say. There might be, or there might be not, you cannot tell.

Q. Do you think that lobster fishing should be kept farther out than it is at present? Some people have proposed that we should limit the depth of water in which fishing is carried on?—A. You can do that, we could stand it if the season was put back. With the present season we cannot do it. We cannot live on it.

Q. What is your idea of changing the season?—A. The idea would be a good thing, a splendid thing for us outside here. I tell you, as I was saying, that to put back the season all the spawn fish would be gone then. At the same time when they have not got the spawn out they have it in. Then it don't show as bad I suppose. All these lobsters would have spawned by the 15th July all right. You don't get one after that. I don't remember I ever caught one after the lobsters had shelled.

Q. Are the fish as full then?—A. They are not as full at first but they would come near about the same after our season here. Say we ran the season a month

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back, the lobsters would be nearly as good as in the spring. You can easily tell. They are getting good from this time out.

Q. Which do you think the most profitable for the fishermen, the live lobster trade or the canning?—A. There is no other way that suits. The expense would be too great to export them to the different places.

Q. Was there anything else you wished to say?—A. As to the fishing, some years it is good and more years it is bad. One year it will be fairly good, the next year not so good, and the next year again it may be worse. The fishing is up and down.

Q. But on the whole the fishery has failed?—A. Oh yes.

Q. To what do you attribute that failure?—A. It is hard to tell. I suppose of course it is because there is fishing generally, but I believe the most of it is when the fish are not hungry. They are getting used to the trap and won't go in.

Q. What do you think of the practice of leaving the gear outside, is there much of that done?—A. It has been done. Off this cape we don't leave out much. I dare say it is dirtying the bottom but I cannot see that it does any harm. The trap only stands three or four weeks and it is all gone. It is only wood that is left there and a little twine. I don't suppose it interferes much with the bottom at all, the old gear. It is all gone in a few years. Old gear that is not fit to take in does not last long.

Q. I suppose it is only the old gear that is abandoned?—A. That is right.

Q. Is there much of it abandoned?—A. Some years there is a good deal of it as I understand. Not these late years, because every packer wants to store the old traps.

Q. How long will a trap last?—A. About three or four years.

Q. What do you consider a trap worth now?—A. What we chuck over is worth about 30 cents clear of the labour.

Q. And a new trap is worth how much?—A. It is a new trap I mean. What we leave on the bottom costs when new about 30 or 35 cents.

Witness discharged.

JAMES HIERLIHEY, fisherman, Brae Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing?—A. Six years. It was in 1903 that I started.

Q. Have you been fishing or packing?—A. Both. I represent the fisherman and the packer. We try and do it all ourselves, a little of it.

Q. Taking you as a fisherman first of all; in what neighbourhood do you fish?—A. In Egmont Bay.

Q. In the bay itself?—A. It is a large bay you know. From West Point to Cape Egmont is what we call Egmont Bay.

Q. Do you fish your traps throughout the whole season in the same part of the bay?—A. Not as usual.

Q. How do you do then, what is your manner of proceeding?—A. In the spring we usually set our traps pretty close in, probably in three fathoms of water.

Q. You begin about the 25th of May?—A. The 25th of May. Then along this time of the year we always have to move off. I think eight fathoms is as deep as ever we go, I don't think we were ever any deeper.

Q. Is that far out in the bay?—A. It is pretty well in line with the headland.

Q. You own your own boat and gear?—A. Exactly.

Q. What amount of gear do you fish?—A. Three hundred traps to a boat or thereabouts. It may be one or two over or one or two less.

Q. There is no Fishermen's Union, is there, in your neighbourhood?—A. No. Thank God we are clear of that.

Q. You are speaking as a canner now are you? What number of boats do you employ at the cannery?—A. Well, they vary. Last year we had 11 or 12.

Q. All your own boats?—A. No.

Q. How many did you own?—A. We had six I think.

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Q. The others were owned by people from whom you bought the fish?—A. Yes.

Q. Then your practice is to move as the season advances out to deeper water?—

A. We have to in order to make ends meet, to get the fish.

Q. Do you think the fish back off?—A. Undoubtedly.

Q. Have they spawned before you move out?—A. Sure.

Q. Then after they have spawned you find them backing off?—A. After they shell we get a very small percentage of spawn fish.

Q. Do you think they go into the shore to spawn?—A. I believe they do. That is my belief.

Q. What percentage of berried lobsters do you find in your catch?—A. It is a pretty hard thing to answer to be any way near correct.

Q. Could you not form an idea?—A. I would not say there was over 10 per cent or somewhere along that.

Q. What is the smallest lobster you ever remarked bearing eggs?—A. Well I remarked this summer catching as small a lobster as ever I did that was berried, and I would say it was about an 8-inch lobster. She seemed very small, but it was the only one that I remarked.

Q. In some sections, where they have watched the lobsters carefully, it is an exception to find berried lobsters at 7 inches, only one in a hundred thousand, they say?—A. Yes.

Q. The average run of berried lobsters would be about what?—A. I should say they would be 10 or 11.

Q. They are good large fish?—A. Good large fish. It seems hard to throw them away.

Q. But you recognize the fact that they ought to be saved do you not?—A. I certainly do.

Q. You have always been fishing with the so-called parlour trap, have you?—A. Yes.

Q. Are those traps in general use now?—A. In our locality they are.

Q. The other trap has been abandoned?—A. Yes.

Q. What do you think is the reason the fishermen adopted the parlour trap?—A. Well in broken weather we find that we can make better averages by using the three-headed trap than by using the two. For average fishing I don't know, the old trap may be just as good.

Q. What distance do you allow between the slats?—A. I would say that the average for my fleet of gear would be somewhere in the vicinity of three-quarters of an inch.

Q. That is all the space allowed?—A. The medium-sized trap may be an inch and a little less than three-quarters of an inch, but I would say in the neighbourhood of three-quarters.

Q. Has not that space been narrowed down with the idea of saving the small lobsters?—A. Not in our case. I consider a lobster that gets out through three-quarters of an inch space too small to can.

Q. What lobster will get out through a three-quarter inch space?—A. It is pretty small. It is only about that long (illustrating by a gesture).

Q. Do you think that lobsters under 8 inches should be canned?—A. Undoubtedly. I don't see why they should not.

Q. Do you think it is right to destroy the fish before it has reached the age at which it can reproduce itself. You say you never saw a female lobster with eggs, under 8 inches. That I suppose is the age of maturity?—A. Yes, I would say so.

Q. Do you think it is right to destroy the immature of any stock?—A. No, I don't think there is any fisherman would land a lobster—well under 7 inches, that is to measure the tail and the body—I don't think that we do although I would not state that positively, because we never measured.

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Q. Well has it been the practice to bring to the cannery everything that was caught?—A. No, not in my case.

Q. How about the berried lobsters?—A. We give them their liberty.

Q. Always?—A. Not always, but this year.

Q. But up to this year what was the practice?—A. Well it was the general practice. Of course, in my own experience, when I got a good big lobster with spawn on her I really hated to take that fish ashore and I have liberated them, but I don't make a practice of doing it.

Q. You think the berried lobster should be protected in some way?—A. Undoubtedly.

Q. What do you think is the best way of protecting her?—A. A hatchery is the only way.

Q. Do the majority of the fishermen in your neighbourhood fish with gear belonging to the factory, or do most of them own their own gear?—A. I think the majority of the gear is owned by the canners.

Q. What do you, as a practical fishermen, think of the proposition to compel the fishermen to take out a license?—A. In my opinion it would be all right. That is for fishermen that have their own boats and gear I believe it would be all right, but I don't believe that a packer could get fishermen to come and take his gear and pay a license to fish.

Q. The license would be a nominal thing, the idea is more for the sake of registering the fishermen?—A. In Massachusetts it is done. Every man that fishes lobsters has got to have a license and send in his own report too. I don't know, it is a question I never thought about.

Q. The idea is that the men would be more careful and more apt to inform on those they know were violating the law?—A. They might.

Q. Is there any competition in the matter of price, or are the fishermen forced to accept what is offered?—A. Well, I don't know. I am hardly in a position to answer that question from the fishermen's standpoint, because I never had any fish to sell.

Q. Then you can answer it from the canner's standpoint?—A. Yes, I can answer it from the canner's standpoint.

Q. Is there any competition?—A. There is competition enough so that a man can—if I don't pay him what he thinks is fair and he can get any more from the next canner alongside of me, he is perfectly free to do so.

Q. Is he likely to do that; is there any arrangement among the packers in regard to the price?—A. No, there is no arrangement to my knowledge.

Q. Do you think if the packer objected to taking undersized and berried lobsters the fishermen would be forced to return them to the water, that is if the packers generally did that?—A. If all the packers did it, then they would be obliged to.

Q. Well, whose fault is it that berried and undersized lobsters are taken at the factory?—A. In the majority of cases I would put it on the fishermen, because you may take a packer that is ever so careful and there will be berried lobsters get into his cannery that he does not know anything about until the tails are pulled. Now I know that to be a fact.

Q. Do you think the fisherman has a better opportunity to cull them?—A. Certainly the fishermen have. They handle those lobsters one by one out of the traps, and it is far easier for the fisherman to detect the berried lobster, when he is taking it out of the trap, than when they are placed in the hand barrow to take to the factory. That is my experience.

Q. Could you give us any idea as to how many lobsters in your neighbourhood it takes to fill a pound can?—A. The 1st of June they run about $4\frac{1}{2}$ we will say.

Q. Up to the 1st of June?—A. Well along to the 15th of June. Then they commence to fall off until the latter part of June and the 1st July. They took or did take, at our factory this summer, $6\frac{1}{2}$ to the pound packed.

Q. Six and a half pounds green to the pound packed?—A. No, $6\frac{1}{2}$ lobsters.

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Q. What would you think of the proposition to increase the fee paid by the canner with a view of purchasing the berried lobsters from the fishermen?—A. Well, I don't know. I think the canners pay——

Q. The present fee of 2 cents a case is only nominal?—A. It is very small. As far as I am concerned personally I would not be against a small increase.

Q. What would you limit the amount to?—A. How many canneries are there in operation?

Q. It has been suggested by some packers themselves that that should be done.—A. I would not for my own part be against it. I would say \$3 per hundred, which would be another cent a case.

Q. Do you think that any considerable increase in the fee for a license to can would have the effect of crushing the smaller canner?—A. Well, I don't know. I did not look at it that way.

Q. Do you think there is any disposition among the fishermen to be more careful, realizing the necessity of saving the berried lobster?—A. There is at the present time, but a few years ago there was not.

Q. Is this the first season the question has been agitated among them at all?—A. No, I, for one, always said I thought it a great shame to destroy the berried lobsters.

Q. Do you think that feeling is growing among the fishermen?—A. Yes, I really do.

Q. Is the practice of stripping, or washing off, the eggs from the berried lobster followed here at all?—A. Well, I have not done it. I did see one man doing it, although I could not say who the man was. He did not belong to our shore. I was sailing by him and I would take it from the actions of the man that is what he was doing.

Q. Have the canners in your neighbourhood ever objected until this season to accepting berried and undersized lobsters?—A. Not to my knowledge.

Q. Is there anything we could do that would educate the fishermen up to the practice of fishing more carefully?—A. Yes.

Q. It has been suggested that somebody should be sent around to address meetings of the fishermen, as is done by the Department of Agriculture in the case of farming.—A. I believe myself that if a man who understands more about berried lobsters than we fishermen do, were to come here he would probably do good. I don't see why he should not.

Q. What would be the best season of the year to send somebody around for that purpose?—A. I don't know. It would be better to come after the fishing season than in the fishing season.

Q. How would the winter do?—A. Yes, the winter would be all right.

Q. Are the bulk of the fishermen here then?—A. Well, that is another question. The majority of the boys go away in winter.

Q. Where do they go to?—A. They go to the Northwest and to Maine.

Q. To the lumber camps?—A. Yes.

Q. What are most of the men engaged in the lobster fishery, are they actual fishermen, or do they fish only for lobsters?—A. You mean they just make——

Q. We find that in a great many places most of the men who fish lobsters are not bona fide fishermen; they don't follow the fishery all season?—A. The majority of the people around our way don't fish only lobsters, they fish herring. There is no mackerel. We can get codfish, but not to any great extent.

Q. Do you know of any place in your neighbourhood where a pound could be established?—A. What kind of bottom do you want for a pound, rock bottom?

Q. No, not necessarily a rock bottom; in fact we want weeds?—A. A seaweed bottom? Yes, there are lots. We have the best opportunities in Egmont bay of any place in Prince Edward Island for that very reason.

Q. What part of the bay?—A. There is a place right in Brae. I think it could be used all right. There is a good flow of water in and out.

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Q. And not too much fresh water?—A. You would not get enough fresh water, except it was early in the spring, to amount to anything.

Q. After the floods are over?—A. Yes.

Q. What do you think about the live lobster trade, are there any facilities for carrying it on in your neighbourhood?—A. No, I don't think it would be feasible at all.

Q. You cannot say whether it would be the most profitable one to the fishermen or not?—A. We investigated that thing with a view to trying it, but we never got around to it.

Q. The facilities do not exist here for carrying it on?—A. No, they do not.

Q. What is needed is rapid transport, cold storage and things of that kind?—A. If they could be put on board the Boston train in Point du Chene they would get into Boston next morning at 7 o'clock, along there; you might keep some of them all right, and some you would not.

Q. Where it can be carried on successfully do you think that trade is a more profitable one to the fishermen than selling to the canners?—A. As far as I have learned it is. I have been talking with men from Nova Scotia.

Q. On a large part of the Nova Scotia coast it is the principal trade to-day?—A. Yes.

Q. What would you think about the proposition to have a universal shutting down for a number of years?—A. Unless there is some change made in our season I guess you will not have to shut us down, for we will quit.

Q. What change would you suggest in your season?—A. That again is a hard proposition, and you will get a great many different opinions on just that very thing. It is a hard thing to come to any definite conclusion on it. I will speak for myself, that as far as my experience has gone in the six or seven years I have been canning, the best of our fishing is from the 15th July until we have to quit, and if there was a change made, it would be to begin not later than the 15th July, and then give us the same length of time as we have now from that on.

Q. That would be to the end of September, about two and a half months?—A. Yes, that would be my idea.

Q. By doing that you would escape taking berried lobsters altogether?—A. Yes, there would not be two per cent then.

Q. Is it your opinion that if the government regulations in regard to berried and undersized lobsters were carried out strictly the canners would have to shut down?—A. Well, I don't know; I am hardly prepared to answer that question.

Q. Do you think we could enforce the law strictly as it stands?—A. Well, it would cost a good deal. I don't think you could ever get it enforced. I don't think you could get a man capable of following the factories around.

Q. There would have to be a great many officers?—A. Well, it would be a hard job.

Q. Do you think it is right that the number of canning licenses should be limited?—A. I do; I honestly do.

Q. Would you favour the present policy of encouraging groups of fishermen to come together and obtain what is called a co-operative license?—A. Yes, provided the men who undertake that are all fishermen, I think it is all right. The regulations call for 15 fishermen, don't they?

Q. From 15 to 30?—A. Well, leave it at 15. Provided 15 men have got gear of their own and they go to the different packers and cannot get what they think is a reasonable price for their fish, then I say the department is doing right to issue to 15 men a license, but otherwise I say it is doing wrong.

Q. Do you not think it would be right to exact that they should comply with some standard of fitness?—A. Yes, I do.

Q. Do you think the canneries should be inspected, having regard to their product?—A. Yes, and the sanitary equipment of the factory and all that.

Q. Do you think the existing staff of inspectors and officers would be competent to carry out that inspection?—A. I would rather not answer that question.

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Q. Is it too near home?—A. No, I have no connections in it.

Q. It has been alleged that in some instances fishermen have suffered injury by the failure of those holding canning licenses to operate their factories; do you know anything about that?—A. Well, I don't know——

Q. That is what led to the granting of co-operative licenses. In some parts of the coast, it is alleged, the canners combined and closed their factories and the fishermen were left without any market at all.—A. It never was done here to my knowledge.

Q. Are you aware of any combination on the part of the packers to keep down the price?—A. None in our locality. There is more of a tendency to bid one another up.

Q. Has there been any noticeable decline in the average size of the lobsters caught within your time?—A. They vary. Some years we get a good average, other years we are small.

Q. You think on the whole the lobsters are becoming steadily smaller?—A. I should not say so, although it is pretty hard to say. I do not think the average of the lobster is getting any less.

Q. During the last five years?—A. No.

Q. Do you think lobster fishing could be carried on farther out from the shore; would you establish a limit within which fishing should be carried on?—A. I don't think it would be——

Q. In some places they fish within a fathom of water. —A. The island is different as you go around. You take round the north of West Cape and you can get three or four fathoms right out from the cliff. Off our shore you have got to go a couple of miles.

Q. In what depth of water do you fish?—A. I set my lines in two and a half or three fathoms, but you can see the bottom plain.

Q. Have you any experience of fishing in harbours or lagoons?—A. No, sir, we have nothing to do with that.

Q. Do you think the loss of gear would be much greater by fishing in the fall?—A. I cannot say by worms, but by storms we never lose any gear. I might say we have lost a few traps, but nothing to amount to anything.

Q. Do you suffer from the borer up in your district?—A. The worm? Yes, desperate. Last year we had 1,500 or 1,800 traps with six boats and 300 to a boat, and there were two boats not running this year. We had to build for the four boats. We have now 1,000 new traps, and we only got what made the other 200 out of what we had before.

Q. What is the average life of a trap with you?—A. We have got five years out of one trap and the new traps that were built last spring—a year ago—some of them we could not get aboard; they broke right at the hollow when we were taking them on board.

Q. What do you think of the practice of deliberately leaving the gear in the water?—A. It should not be done at all.

Q. It might be done by accident?—A. We never make a practice of doing it as fishermen. I might leave a few drifting, but as a rule we take them ashore.

Q. What becomes of these traps that are left in the water?—A. The traps we would cut adrift in August would be all gone before the fall. I think the worms would just eat them right up.

Q. I have nothing else to ask you, is there any statement you would like to make on your own account?—A. I don't think there is anything; you went over the questions pretty well.

Witness discharged.

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C. B. MORRIS, canner, Cape Egmont, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in packing?—A. Seven years.

Q. Had you any connection with the industry before that?—A. Yes, sir, as a buyer.

Q. A buyer for other canneries in the neighbourhood?—A. No, buying for dealers.

Q. How many boats do you employ?—A. Only five this year.

Q. Are they all your own?—A. All my own.

Q. Are there many other canneries near you?—A. Yes, sir, I am in the midst of them. There is a bunch of six or seven around me within a mile or two.

Q. Where do you fish, in the bay or out in the straits?—A. Out in the straits.

Q. Off Cape Egmont?—A. Yes, sir.

Q. What was your pack last year?—A. Last year with seven boats I packed less than 200 cases.

Q. What is the best pack you ever made?—A. Four hundred cases with five boats.

Q. How is your pack up to the present for this season?—A. It is very small, sir, I think about the same as last year, no better.

Q. The years 1907 and 1908 are spoken of in some parts of the island as having been good years.—A. Last year was an exceptionally good year everywhere else excepting in the straits.

Q. What number of hands do you employ in the cannery?—A. Regularly I have eight.

Q. During the time you have been canning what has been your practice with regard to small and berried lobsters?—A. To take everything that came.

Q. Was any attempt made this year to enforce the regulation with regard to the berried lobster?—A. I told my fishermen we were given notice to leave out all berried lobsters and they did not appear to take very kindly to it. They said they would not leave them out. I told them we were subject to a fine if they were brought in, and they said they would bring them in without any spawn.

Q. Have you any idea of the percentage of the lobsters taken in your traps that bear eggs?—A. I cannot tell you. There are not nearly so many now as there were a few years ago.

Q. What do you attribute that to?—A. I attribute it to over-fishing, nothing else.

Q. What is the average run of lobsters with you; how many do you consider they run to the pound can or to the case?—A. It depends a good deal. There are never two seasons when they average the same. Some years we have better than others. In certain seasons of the year they are much better again. In general this year they are good, in fact they are always good in June. Coming on now they are getting very small.

Q. Could you give us any average for the whole season?—A. Yes, the average this year would be about, I think, eight lobsters to the pound.

Q. Do you think that if the law were strictly enforced in regard to size limit and berried lobsters you would be able to continue canning?—A. No, sir, I would close down to-morrow.

Q. Then the practice of stripping, or washing off, the eggs from the berried lobster has been followed here by your fishermen?—A. I cannot say it has.

Q. Has it been done by the fishermen in the neighbourhood?—A. They tell me they have done it.

Q. What has been done this year, have they been got rid of outside?—A. In every case the fishermen say they would leave the lobsters in their traps day after day until the spawn left them.

Q. Do you think the fishery is decreasing?—A. That is my opinion.

Q. And that it is necessary to do something to preserve it?—A. Exactly.

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Q. Various suggestions have been made having that object in view. One is to enforce the regulations as they stand, and it is said that will put a good many people out of business. ?—A. It would, sir.

Q. Another suggestion is to have a universal closing down for a term of years; what would you think of that?—A. I think it is unnecessary. In case they decided to close down what would the fishermen do in the meantime, the people that are dependent upon the fishery for a living? They would all leave. They leave every year. Every year it is harder for us to get fishermen for the simple reason that they cannot make a living wage out of it now.

Q. What did the people do before they went to this fishing?—A. They have been fishing for 25 and 30 years, most of them all their lives.

Q. There was an alternative proposition made by the Lobster Commission in 1898, that the fishing should close down by sections?—A. The fishing is all done in sections now.

Q. The idea was that there should be no canning, say on the north side of Prince Edward Island this season, but allow canning on the south. The next year they would change to somewhere else, and so on?—A. I don't think it would be feasible at all.

Q. Another proposition was to do away with the size limit altogether but to fish for a shorter season?—A. Yes, that might be better. The season of course is almost short enough now for a person that has to depend upon it for their living.

Q. What do you think of the suggestion made to us by the fishermen in some places that the season for the Straits should be changed, instead of being as it is now from the 25th May to the 10th August, that it should be to the last of September?—A. I would like to know how, in your opinion, it would be any better than it is now.

Q. You would not get berried lobsters?—A. You can catch berried lobsters, a certain percentage, at any time.

Q. Do you think the lobsters with berries on them late are going to spawn the same season?—A. I must say that, in my opinion, they do.

Q. You think they will spawn later?—A. I think so.

Q. What do you think is the spawning season?—A. I think they spawn the whole season, but the majority of them, I think, spawn in June.

Q. Could you venture a statement as to how many of the lobsters taken are below the legal size limit?—A. At the present time there would be 75 per cent.

Q. Has there been any noticeable decline in the average size of the lobsters caught in your district within the last ten years?—A. Some years, and some years they are better again. In 1907, we never got any better lobsters than we did that year. In 1906, they were very small.

Q. To what cause do you attribute the decline in the size of the lobsters?—A. I suppose the decrease in lobsters is the main thing.

Q. To what is that decrease due?—A. To over-fishing, I suppose.

Q. You did not answer my question about the change in the season; would you be opposed to it?—A. I would be opposed to it until I was satisfied the late season would be of benefit to us, which I am not now, or any other man, unless he has fished all the season. That would not be a fair trial, because a few traps would fish a lot better than a whole lot, there is no doubt about that.

Q. Do you think it is in the interest of the future of the lobster fishery that lobsters should be taken before they have reached that period of maturity at which reproduction takes place?—A. It is a mistake, unless there is some way of planting them again and taking care of the seed lobsters.

Q. What plan would you suggest?—A. The only possible plan I can see is hatcheries.

Q. Have you had any experience in the matter of hatcheries?—A. Nothing personal.

Q. Have you experienced any improvement from the hatchery on the other side?

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Lower down Straits near Cape Bear they claim they have derived benefit from the hatchery on Pictou Island?—A. I think it is doing injury more than good the way the hatchery is run at the present time.

Q. Which one?—A. The handiest one, at Shemogue.

Q. In what way do you think?—A. They fish from Cape Bald. We are directly opposite Cape Bald. They get the spawn lobsters there and fish more than half way across the Straits on our side. They gather up all our spawn lobsters and take them into their hatchery and plant the young lobsters within the three miles limit and they do not bring them back again. So it would be hardly fair for us to leave out the spawn lobsters and for them to take them in.

Q. Would you favour reducing the size limit to seven inches?—A. I would by all means.

Q. Or would you favour abolishing the size limit altogether and shortening the season?—A. No, I would not favour shortening the season any. I would prefer taking the ten days off August and giving us ten days earlier in the spring.

Q. Is it the case that canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen?—A. Yes, sir.

Q. Is it your opinion that it takes 30 per cent more lobsters in the fall to fill a pound can than in the months of May or June?—A. Not in the fall, it would be at this time of the year.

Q. How many pounds weight of green lobsters does it take to fill a pound can with you?—A. On an average I should judge about 210 pounds to the case.

Q. What would you think of the proposition requiring fishermen to register and take out a license?—A. I don't think very much of it.

Q. Do you think it would have the effect of leading the fishermen to observe the law?—A. I don't think so at all.

Q. Have the regulations for the protection of lobsters ever been observed in your district to your knowledge?—A. No, sir.

Q. Do you think the existing penalties are sufficient if they were enforced?—A. I think they would do.

Q. Have they ever been enforced?—A. Not to my knowledge.

Q. Have you ever known anybody to be fined?—A. I have for fishing after the season.

Q. Is there much of that done?—A. Not around our way.

Q. Do you think that the number of canneries has reached a maximum compatible with the preservation of the industry?—A. In certain sections it has; it has been far over-reached.

Q. Do you think there is any good reason why we should make the distinctions we do in issuing canning licenses; do you think there is any reason why any man who shows his ability to pack should not be granted a license?—A. I suppose it is necessary to protect people against themselves at times. The men who are in the business now, I don't think there are any of them making any money. Up our way none of them make a living out of it, they have all gone behind.

Q. Is the present season satisfactory?—A. I am satisfied with the season, but if there was any change I would take off the last ten days and place it at the beginning of the season.

Q. What in your opinion, would be the ultimate effect of a shorter open season with no restriction as to the size limit?—A. I hardly know what effect it would have, I don't think it would have a great deal. Of course there are certain times in our season when it does not pay us to run.

Q. When is the best period of your fishing?—A. 15th July to the 1st August. I might say some seasons from the 10th or 15th July to the 1st August.

Q. Do you think it will be possible to establish a standard of fitness for canneries?—A. By all means.

Q. What would you suggest?—A. Have inspectors.

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Q. Then you would inspect the pack too, would you?—A. Yes, sir.

Q. Do you think the present staff of officers would be competent to carry on that?—A. They would want to learn the business first.

Q. Would the present staff of fishery officers not be competent to decide whether the packing was carried on in a cleanly and fit way?—A. I should not judge they would be without considerable practical experience.

Q. Would you issue a canning license to an alien?—A. No, I don't think I would.

Q. What do you think of the policy of the department in encouraging fishermen to co-operate in canning?—A. It would be hardly fair to issue fishermen a license after the canners who had already been in existence had gone to the expense of putting up canneries and paying a big price for the licenses already.

Q. The price they pay for the license is not a very big one?—A. I paid \$400 for mine. That ought to be large enough.

Q. How did that come about?—A. I had to buy another party's license. I could not get a new one.

Q. What is the price at present paid to the fishermen for lobsters in your district?—A. I am paying 65 cents a hundred.

Q. How is that price fixed?—A. I simply hire the fishermen at that price.

Q. You offer the price and they take it?—A. Yes.

Q. Are you aware of any combination on the part of the packers to keep down the price?—A. Not our way.

Q. Are you aware of any complaints made by the fishermen that the price paid them by the canners for lobsters is not satisfactory?—A. I think it is an understood fact among the fishermen that the canners are paying all they can afford to.

Q. Do you think the fishermen themselves understand that?—A. I think so.

Q. Are you aware of any fisherman having lost his catch of lobsters by a canner refusing to accept them?—A. No, sir.

Q. If the canneries here were closed would the fishermen find any other market

Q. If the canneries here were closed, would the fishermen find any other market

Q. The facilities do not exist here for the carrying on of the fresh lobster trade?—A. No, sir.

Q. Which branch of the industry do you think is the most profitable to the fisherman where it can be carried on?—A. The canneries are the most profitable to the country. The exporting of live lobsters is no good except to the fishermen themselves and a few dealers; there would be no employment of labour in connection with it.

Q. Has any attempt ever been made to establish a live lobster trade here?—A. I believe so, sir.

Q. Have you any idea how it resulted?—A. Well, I think disastrously. I went into the subject myself two or three years ago and saw there was nothing in the thing and I dropped it.

Q. Are there any facilities in your neighbourhood for the establishment of pounds?—A. It altogether depends. There are bays, but of course I have no idea what would be required.

Q. What is required is a bay having rather a narrow outlet which could be fenced across.—A. We have no bay with a narrow outlet, not very narrow.

Q. The creation of an Advisory Board with regard to matters concerning the fisheries has been proposed; what do you think of the proposition?—A. I think it is what is needed.

Q. How should such a board be constituted would you say?—A. That is taking in all kinds of fishing?

Q. All kinds of fishing. It has been suggested that a voluntary board should be created to advise the department on all matters concerning the fisheries and fishery regulations.—A. I hardly know which would be the better method.

Q. I suppose the local Boards of Trade might recommend members for a board of that kind?—A. It would be better for the fishermen, or men interested in fishermen,

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to look after that matter themselves. I know our Board of Trade gentlemen take no interest in the fishery business.

Q. Is there any other matter connected with this inquiry upon which you would like to express an opinion. You heard the evidence given this morning; how does it tally with your views?—A. To a certain extent fairly well. There is one matter that has not been taken up, at least it has to a certain extent, and that is leaving the gear and traps in the water. I don't think there is a great deal of that done now, and I know it has never been done around my place. I always insisted on the gear being brought ashore and I think all around that part of the coast it is brought ashore. What has injured our fishing to a certain extent in my opinion is crabs. There are a great quantity of them and they are increasing very fast. I believe it would be policy on the government's part to do something in order to try and reduce them in some way.

Q. What would cause the increase in the number of crabs?—A. I cannot say.

Q. They have increased you think?—A. They are increasing a hundredfold every year apparently.

Q. Is there any other matter that you have omitted to explain to us?—A. What we are mostly interested in is hatcheries. At a meeting of packers up there last week we came to a unanimous decision that hatcheries were our only hope now. Our case is getting desperate so far as lobsters are concerned.

Q. Do the packers think that the hatcheries alone will keep the industry going?—A. They do. If we are going to get a hatchery we would let everything else stand the way it is at the present time. But it is almost too late. We should have had hatcheries years ago. It will be two or three years before the hatchery will be of any benefit to us. We would try and regulate things ourselves if we had any encouragement.

Q. You think the establishment of hatcheries alone would be a sufficient protection to the fishery?—A. That was our opinion.

Q. Without any other regulation?—A. Without any other regulation. On about 40 miles of coast there are almost half the factories of Prince county; there are some 40 odd factories in that part. They are more thickly situated there than in any other part of the island. In fact Prince county has almost as many factories as Kings and Queens counties together. On the north side again they have got lots of shore room. On this side of the coast we have only got about 60 or 70 miles on each side and there are factories running at both sides.

Witness discharged.

JOHN D. MURPHY, fisherman and packer, Sea View, called and sworn:—

By the Commissioner:

Q. Where is the neighbourhood of your fishery?—A. Richmond Harbour.

Q. Do you speak as a canner?—A. As both, sir.

Q. Where is your cannery situated?—A. In Sea View, sir.

Q. What number of boats do you employ?—A. We employed this year 9 boats.

Q. Were they all your own?—A. No, sir, there were 6 boats of our own.

Q. Did the fishermen in the other boats sell their catches to you by the hundred pounds?—A. Some of them were paid by the case, and some by the hundred pounds.

Q. Have you always carried on fishing and packing at the same places?—A. We have for 6 years.

Q. Are there many other canneries in your neighbourhood?—A. There are two other canneries right on the same beach.

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Q. Who do they belong to?—A. One goes by the name of Duggan and Co. and the other is Sudsbury Bros.

Q. How far off shore do you fish?—A. From two to three miles off at the first of the season.

Q. In what depth of water do you fish?—A. From 10 to 14 fathoms.

Q. What number of traps do you fish there?—A. From 250 to 300.

Q. Do you always fish in the same depth of water through the season?—A. At the latter part of the season, after the latter part of June or the 1st of July, we shift inside.

Q. Into shoaler water or into the bay altogether?—A. Into shoaler water, we don't go near the bay at all.

Q. What is your experience with regard to the run of fish at various times in the season; how do you find the fish, are they larger off shore?—A. Larger fish off shore, yes, sir.

Q. And towards the end of the season inshore, do you get a smaller run of fish?—A. A smaller run of fish, yes, sir.

Q. What proportion of your fish would be under 8 inches in size?—A. That would be pretty hard to say. There is quite a few of them caught inshore under the mark.

Q. As to the female lobsters with their eggs extruded, what proportion of them do you get in a catch do you think?—A. We don't get a great many of them at any time. The fishermen are supposed, and I think generally do, throw them all overboard. I think it is to the interest of the fishermen to do so.

Q. Do you think they have done so?—A. They mostly have, the majority of the fishermen. I think I can safely say the majority have.

Q. This year or every year?—A. This year and every year since the law has come in force they have disposed of all their berried lobsters.

Q. Is the practice of brushing the eggs off the female lobster followed by your fishermen do you think?—A. That would be a thing I could not say.

Q. Is the catch decreasing or otherwise since you commenced fishing?—A. The catch has increased according to our Fishery Inspector's report, the report of Mr. Matheson, for the last ten years up to this year. This year there has been a decrease, but that was chiefly on account of the ice and the large storms at the opening of the season.

Q. Are you fishing a greater amount of gear now to keep up your pack do you think?—A. We have not been fishing any more since we started the factory. We have not been increasing our gear to any extent.

Q. How do you find the fishing compared to what it was when you began?—A. I find it pretty much the same, I don't see very much decrease or increase. Of course we were cut off this year, we had six days taken off the season at the commencement, but it would not have made any difference.

Q. That change was making the opening of the fishery later?—A. It was shortening the season.

Q. Were you not in favour of that?—A. I was not. I don't think you would get the fishermen down our way in favour of shortening the season.

Q. Why should there be any date fixed for the opening of the season?—A. There should be a date, or there would be no starting point at all, one would be a few days ahead of the other. That would not make very much difference I suppose, but there should be a fixed date.

Q. Why not fix the opening the same as it is on the Atlantic coast, for 1st January?—A. It would be all right.

Q. Do most of the fishermen own their own boats and gear or are they owned by the canners?—A. The majority of them in our settlement own their own boats and gear.

Q. What do you think of the proposition to license the fishermen?—A. Well, I think it would be all right.

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Q. Do you think if the fishermen were licensed and registered they would be any more apt to observe the law?—A. I don't know that that would have anything to do with observing the law, but it would be more satisfactory probably to the fishermen.

Q. The idea of those who made the suggestion probably is that if the fishermen were registered and held licenses, they would feel themselves more or less guardians of the law and would obey it themselves and see that others did?—A. That would be all right.

Q. How does the price paid for lobsters now compare with that paid when you began to fish?—A. When I began to fish it was about 18 years ago.

Q. What was the price then?—A. The price was about 50 cents a hundred by count. You paid for your own boats, your own board, and your own bait. This year it is different. They pay \$1.10 to the fishermen on the north side for the same advantages.

Q. Who establishes the price paid to the fishermen?—A. It is pretty much among the fishermen. They say we will take so much.

Q. And the canner is obliged to give it?—A. The canner is kind of obliged to give you that.

Q. Does the fisherman expect the canner to take everything he brings to him, regardless of size, berries or anything else?—A. I could not just answer that. I suppose the fishermen would expect him to, but it would be a question whether he would or not.

Q. Do you think it is the practice of the canner to refuse anything?—A. It is his place to refuse it and he does refuse it. He does in our case I know.

Q. Some cannery have complained that if they lived strictly up to the law they could not get fishermen to fish for them?—A. The great majority of our fishermen on the north side are all opposed to taking these berried lobsters. We don't have very much trouble in that respect.

Q. And how about the undersized lobsters?—A. Of course they will row about that part of it. You have got to do the best thing you can.

Q. Do you find more berried lobsters offshore than inshore?—A. No, sir, just about the same, I don't see very much difference.

Q. Is there any time of the season when lobsters are not fit for food?—A. Except perhaps when they are shelling.

Q. What is the smallest size at which you have ever known a female lobster to carry eggs?—A. Some do not carry eggs very small. To the best of my knowledge I would not think over eight or nine inches.

Q. What style of trap do the fishermen fish in your neighbourhood, the parlour trap?—A. Well, chiefly.

Q. Are there still some of the old traps fished?—A. Yes, there are still some old traps fished. Most of them fish with a line of 60 or 70 of these old fashioned traps.

Q. They fish both traps?—A. Both kinds, yes.

Q. Which do they find catches the most?—A. The most of them claim the parlour trap is the best trap.

Q. It holds the fish longer?—A. It holds the fish longer in the stormy season.

Q. If the regulations regarding the size limit and the taking of berried lobsters were strictly enforced, how would it affect you, could you continue to can?—A. The size limit would affect us quite a bit, I imagine it would.

Q. Could you get the fishermen to fish?—A. I don't think you could get the fishermen to fish. The fish would be all right the first of the season, but part of the season they would be so small no fisherman would bother fishing.

Q. Do you think it would be possible to have a trap that would allow a fair proportion of small lobsters to escape; for instance, by leaving a greater space between the slats, could we not save a greater number of immature fish?—A. There is a thing to be considered in that too. At the first of the season the fish are kind of slack and the small fish could not go out any way, none of the fish would go out. The latter part of the season they are more smart and the small fish would go out anyway.

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Q. How small?—A. They would go out through a three-quarter inch opening away down to five or six inches.

Q. Do you think a six inch lobster could go through a three quarter inch opening?—A. Yes, sir, I think he could get out through a three quarter inch opening.

Q. What do you think would be the best way of teaching the fishermen to comply with the law?—A. I don't know, sir.

Q. Who should we hold responsible for taking undersized and berried lobsters, the fisherman or the canner?—A. I would imagine almost both of them. The fisherman that gets them ought to be the man. The canner has always got something else to take up his occupation to pay any attention to them. The fisherman has nothing else to do but take them out of the trap, and he ought to pay attention to them.

Q. In your neighbourhood is there a place where pounds for the breeding of lobsters could be established?—A. There is one at Malpeque and New London I would imagine.

Q. Do you know anything about fishing inside in the harbours and bays there?—A. No, sir, I don't know anything about it. I fished 18 years ago in Richmond Bay, but clear of that I don't know anything about it.

Q. Have you anything to tell us about the fishing in that bay?—A. No, sir, I have got nothing to say about fishing in Richmond Bay.

Q. Do you know what the fish caught in there are like?—A. No, sir, I don't know very much about them. They say they are very small fish, but I don't know anything about them.

Q. What do you think of the practice of fishing in inner bays and harbours, do you think those waters should be reserved?—A. Some of the fishermen think they ought to be reserved. I think some of them ought to be reserved to some extent, but the larger parts of the bays ought not to be reserved if the fishermen are to make a living the same as on the north side.

Q. Do you not think the fish go into these harbours and bays for the purpose of spawning?—A. I would not agree that Richmond Bay is a kind of hatchery. I would not agree that it is a protector of small fish. It might be, but I am only giving you my opinion.

Q. Does the lobster not go into shallow water to spawn?—A. We find the female lobster in 13 or 14 fathoms of water in the spring with her berries almost ready to shed.

Q. What time do you think is the spawning season—A. I think the spawning season is almost any time; I don't think there is any chosen time at all for the berried lobsters. Sometimes you will get one almost ready to spawn, and perhaps a month after that you will get another in the same condition. I don't think there is any fixed time for the fish to spawn at all.

Q. What suggestion would you make as to the regulations that should be enforced for the protection of the industry, what do you say should be done?—A. Do you mean for the north side of Prince Edward Island?

Q. Yes.—A. My suggestion would be to leave the season as it was before, from the 20th April to the 10th July. It used to be the 20th April, but last spring they shifted it to the 26th.

Q. Was that done at the request of the fishermen or the packers?—A. It was done at the request of the Local House by the Dominion House I guess, but I don't say that it did us any harm. I would imagine it did harm to the fishermen more than benefit.

Q. Do you think there is any absolute necessity for fixing an open date in the spring?—A. There would have to be some fixed date, otherwise they would all be going wild after a while.

Q. What has that got to do with the protection of the lobster?—A. That has got nothing to do with the protection of the lobster.

Q. That provides for the protection of the gear?—A. I should imagine the fisherman has got to use his own judgment anyway.

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Q. Are you aware of any fisherman having lost his catch of lobsters by the canners refusing to accept them?—A. No, sir, I have not.

Q. What would you think of the proposition to close down altogether for a term of years?—A. It would be ruinous to the lobster packer and the fishermen. They have got the gear now.

Q. What would you think of the suggestion to do away altogether with the size limit, but protect the berried lobster and shorten the season?—A. My opinion would be to protect the berried lobster by all means, but shorten the season and give us back the old season we had.

Q. Shorten it at the after end, not the fore end?—A. They could shorten it at that end if they have to, but it would be a great injury at Richmond Bay where there is the best catch of the season. It would be a benefit to us to open on the 20th April and run till 10th July. If they want to take off any part, take six days off the latter part.

Q. And put it on the fore part?—A. No, sir, give us our same season. We used to have the 20th April when we would start early in the morning. As a general rule the fishermen goes out at sunrise, we always get up early in the morning.

Q. Has there ever been any attempt made in your neighbourhood to carry on the live lobster industry?—A. No, sir, we are too far from the railroad.

Q. What do you think of the present method of issuing licenses?—A. It would be all right. They could issue all the licenses they wished and I would be satisfied.

Q. Do you think every man who shows his ability to pack properly should be granted a license?—A. Yes, I am satisfied with that.

Q. Do you think the amount of gear fished by any canner should be limited?—A. I don't think so, because it would be pretty hard to do. I don't see just how it could be done.

Q. Are you aware of any combination on the part of the packers to keep the price down?—A. No.

Q. Who fixes the price paid for lobsters?—A. Chiefly the fishermen and the packer.

Q. Would you favour the establishment of a hatchery in your neighbourhood?—A. I would be in favour of establishing hatcheries on the north side and I imagine we should have one.

Q. Would you as a canner be prepared to pay an increased fee to cover the cost of collecting the eggs to be hatched at the hatchery?—A. Yes, sir, I would.

Q. What do you think of having different fishing seasons and size limits in different places? For instance, you have on the south shore one fishing season and on the north shore another; is there any good reason why the season should not be alike everywhere?—A. There is a good deal left to the fishermen. Probably the fishermen on the south side imagine their fishing is all right and think they ought to know the best about it. They have fished there and I imagine the opinion of the fishermen ought to rule the day.

Q. Would you say that generally the fishermen should establish the regulations and be allowed their own way entirely?—A. All meetings should be on the same principle as this one to-day so that people can give their opinion on the subject.

Q. Do you think a larger percentage of lobsters is required in the fall than in the months of May and June to fill a pound can?—A. That fishing has never been done here.

Q. Do you think lobster fishing should be kept at a regular distance from the shore and a limit fixed beyond which they should not set traps?—A. Yes, I imagine there should be.

Q. What depth of water would you fix the limit at?—A. I should say there should be no traps set inside two fathoms of water, that is twelve feet.

Q. Is there much loss of gear in your neighbourhood from the stormy weather?—A. Yes, sir, quite a lot.

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Q. What proportion of the gear would you say is lost every year?—A. It depends a good deal on the year.

Q. But one season with the other it averages up I suppose?—A. The fishermen this year have lost a great deal of gear that was set very close inshore. Some of them have lost as high as 50 per cent of the gear, but there are others that have not because they were not in those storms.

Q. Those who fish in shoaler water are more apt to lose their gear than the men in deeper water?—A. That is the idea. By an early season they would not have to come into shoal water.

Q. We are told there is a good deal of gear left in the water in the fall?—A. Most of our gear is housed in the winter.

Q. Is there anything you want to suggest of your own accord?—A. There is nothing I would like to suggest except to get our season back to the 20th of April, if it could be done. If they want to take six days off let them take it off the latter part of the season, because the fish are smaller then.

Q. The resolution postponing the opening to 26th April was carried in the Local Legislature, was it not?—A. Yes, the Local House.

Q. Then the majority of fishermen must have been in favour of it?—A. I don't think they ever asked their opinion at all.

Q. Then what led to the passing of the regulation?—A. I could not say that. It is my opinion that you should take the six days off the latter part, if you want to take any off at all.

Q. I could never understand why an opening date was ever fixed at all?—A. It was to put every man upon the same footing.

Witness discharged.

CHARLES MARKLEY, fisherman, Richmond Bay, called and sworn:—

By the Commissioner:

Q. Are you speaking as a fisherman?—A. Yes, sir, I fished for 13 years and canned for one.

Q. Are you still canning?—A. No, I have given it up. We canned last year, but the price was too high and I sold out my shares.

Q. Have you always fished in the same locality?—A. Always in Richmond bay.

Q. Do you own your own boat and gear?—A. Yes, sir.

Q. To whom have you sold your fish?—A. We always had our fish packed by the case except this last few years and then we sold to Mr. P. H. Wright.

Q. Is it a common practice to have the fish packed by the case among the fishermen?—A. No, sir.

Q. Is there any Fishermen's Union here?—A. No, sir.

Q. In what depth of water do you generally fish?—A. From four feet up to forty, I guess.

Q. What number of traps do you fish?—A. From 200 to 250 traps.

Q. When do you begin your fishing?—A. 26th April this year.

Q. Did you find the fish at once when you began?—A. Yes, sir.

Q. What is the best period of the fishery with you?—A. The first few days, and then the last ten days in July.

Q. Is there a lapse between those periods?—A. Yes, sir, about shelling time there is.

Q. Do the fish not trap at that time?—A. Not as well.

Q. What particular kind of trap do you use, is it the parlour trap?—A. There are some parlour traps used, but they are mostly the two-headed traps.

Q. What is the size of the entrance hoop?—A. Always three to four inches.

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Q. How far apart do you put the slats in your trap?—A. They are pretty close.

Q. Are you making them closer now than you did when you began to fish first?—

A. No, sir, I don't think it.

Q. Was the parlour trap in use when you commenced fishing?—A. No, sir.

Q. What number of boats fish in Richmond bay?—A. I could not tell you that.

Q. About how many would there be?—A. I don't know, hundreds I guess.

Q. Do those that fish in the bay confine themselves to the inside waters?—A. The inside fishermen never go out, but the inside fishermen come in, according to the season.

Q. They go in near the close of the season as a rule?—A. The warmer the summer the sooner they go in.

Q. What brings them in?—A. The fish get scarce outside.

Q. How do the fish you take in the bay compare with those that are caught outside?—A. I don't see very much difference.

Q. How do the bay fish compare with the fish you caught when you first commenced to fish there?—A. I don't see very much difference.

Q. They are just about the same run?—A. Yes.

Q. Has there been any decrease in the size of the fish?—A. I don't think it.

Q. What percentage of berried lobsters did you find in there at different times of the season?—A. It is according to the way you have got your traps. There are more on rocky bottoms, there are more berried lobsters.

Q. Could you venture to fix any percentage at all, is it a large proportion of your catch, or only a small one?—A. A very small one. There are hardly any caught at the head of the bays and rivers. They are mostly down towards—

Q. In deeper water?—A. Mostly on rocky bottoms.

Q. What percentage of the fish you catch there would be under 8 inches in size?—A. Pretty nearly the half of them.

Q. I suppose when you put your traps down you do not move them, you fish throughout the season in the same place?—A. We have kept them sometimes in deeper water.

Q. You shift about?—A. Yes.

Q. Do you think there is any more harm done by fishing in the bay than in fishing outside?—A. I could not tell you that, I never fished outside.

Q. It has been claimed by some people that the bays and lagoons are the natural nurseries and spawning grounds of the lobsters and should be protected; what is your opinion about fishing inside?—A. I don't say that the bay is a hatchery.

Q. You do not think it is?—A. There are no more spawn lobsters caught there than there are outside?

Q. How does the present fishing season suit you in the bay?—A. It suits us all right. If we had five or ten days more at the last of it, we would be better pleased.

Q. What do you think of the proposition requiring fishermen to register and take out a license?—A. I don't see that it will do much good.

Q. Do you think it would have the effect of making the fishermen more careful about observing the law?—A. No, I don't think it would.

Q. What has been the practice with you in disposing of your lobsters, do you expect the canner to take everything you bring him?—A. I think so, clear of the spawn lobsters.

Q. Did you always observe the law with regard to the spawn lobsters, or only this year?—A. Last year they were very strict. There were instructions sent around and there were very few spawn lobsters landed.

Q. Do the bay fishermen follow the practice of stripping the berries from the female lobsters?—A. I don't know that they do. I never did it myself. If I got one, I threw it overboard.

Q. Is there any illegal fishing, any fishing after the close season in the bay?—A. Well, only on the sly.

SESSIONAL PAPER No. 22a

Q. Is it not done on the open? We generally find that among the lagoon and bay fishermen there is more of that sort of thing practised than among the outside fishermen?—A. I don't think it. None of the factories can those lobsters.

Q. But the lobsters are caught and canned elsewhere are they not?—A. I cannot say, I have never done any, nor have I seen any one packing them.

Q. How does the price paid for lobsters now compare with the price paid when you first began?—A. We get a lot more.

Q. Are you fishing any more gear now, do you require more gear to catch the same weight of lobsters than you did when you began?—A. No, I don't think it. We know how to do it better, we are better fishermen than when we started.

Q. And you use a trap that is more likely to hold everything you get than the old trap did?—A. Yes, sir.

Q. How is the price of lobsters fixed?—A. I think it is pretty nearly a mutual thing between the fishermen and the packers.

Q. Generally speaking, it is satisfactory to the fishermen?—A. Yes, it has been very satisfactory to the fishermen except this year. This year, I think, the canners tried to bind them a little too low and there was a kick, and I think they got more than their own towards the last.

Q. As a result of the fishermen's kick, did they get a higher price?—A. The canners offered \$2.50 and they came up to \$4.

Q. Was that all through the season, or only as the season advanced?—A. All through the season. It came up gradually, but they paid it from the first.

Q. Do you think the fishermen are beginning to understand the necessity for regulations, and that it is to their advantage to protect undersized and berried lobsters?—A. Well every fisherman is in favour of protecting berried lobsters.

Q. He is not so careful about the undersized lobsters?—A. No.

Q. Do you think there is any period of the year when lobsters are not fit for food?—A. When they are casting their shell.

Q. What is the smallest size at which you remember to have seen an egg-bearing lobster?—A. Seven or eight inches I think. They are mostly big ones.

Q. But you think you have seen the size down to seven inches, they go down to that size sometimes?—A. I never measured them of course.

Q. What is the average size of the berried lobster?—A. I never measured one, but they are mostly big fish, the ones that I found this year.

Q. Do you think if the regulations were strictly enforced the canners would be able to keep operating?—A. Not with the size limit. If the size limit were enforced, they would have to shut down.

Q. And if the canner refused to accept undersized, or berried fish, what would happen to the fishermen?—A. They would have to take them somewhere else.

Q. The fishermen would have to shut down too?—A. Yes.

Q. Do you think it would be an easy matter to enforce the size limit regulation?—A. No, sir, I don't think it could be done unless they measured every lobster that was landed at the factory.

Q. Some of them were measured by an officer of the department this year, were they not?—A. Not at our factory.

Q. What number of cases did you put up at your factory?—A. I could not say for this year. We had over 400 cases last year.

Q. How do you think we could get at the fishermen with a view of inducing them to observe the law; I suppose they recognize the need of some regulations?—A. I would put a heavy fine on anybody that was caught landing spawn lobsters.

Q. What about the small lobsters?—A. If you enforce that you shut them down.

Q. What would you think of a proposition to do away with the size limit, protect the berried lobsters, and somewhat shorten the season?—A. The season is short enough.

Q. How does the regulation fixing the opening of the season suit you?—A. Well

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the ice is generally in the bay up till nearly that time now. Some years we can start on the 20th April, but not very often. It does not make very much difference.

Q. Are there any places in your neighbourhood where pounds could be established?—A. I don't think it. I have not much idea what the kind of place would be.

Q. You want a large area with about two fathoms of salt water and a narrow mouth, where the lobsters could be fenced in?—A. About where our factory is there is a channel of pretty salt water and it could be easily barred across the mouth.

Q. How many acres of water have you there?—A. There would be 100 acres of water.

Q. What would you think about establishing a hatchery?—A. I think it would be a good thing.

Q. What do you think about the present practice of issuing canning licenses, is it satisfactory to you?—A. I think any man that wants a license should get it.

Q. Do you think any man competent to pack should be granted a license; should not some standard of fitness be established?—A. It is pretty hard to judge that. This year there was only half the quantity of lobsters. My pack was 200 or 300 lobsters last year and I got 100 this year.

Q. Do you think the product of the canneries should be inspected?—A. It is a man's own business to pack as good as he can. The better the pack; the better market he has.

Q. Are you aware that any fisherman has suffered loss through the refusal of the canner to purchase his lobsters?—A. Not this year. Last year they were restricted in some cases. They are fishing all their gear.

Q. Was that owing to a glut?—A. Yes.

Q. Have you any experience of the live lobster business?—A. No, sir.

Q. Do you think any facilities for carrying on the trade exist where you are?—A. We are not very far from the railway, if we could ship them alive. They could put them into Boston, I suppose, in a day, if they could ship them by express.

Q. What would be necessary to facilitate that trade, fast communication?—A. You would want to have proper cars I suppose.

Q. Do you think there is any reason why the size limit should be smaller in one district than in another?—A. If the fisherman wants to have a limit, let him have it. It is his own business I suppose, he is mostly interested in it.

Q. Do you think it is in the interest of the fishery generally that lobsters, or any fish, should be taken before they have reached the age at which they reproduce themselves?—A. I suppose it would be against the fishery.

Q. Against the interest of the fishermen?—A. I think so.

Q. Do you think a larger percentage of lobsters is required to fill a pound can in the fall than in May and June?—A. I could not say, I have had no experience.

Q. During what portion of the season is the fishery most actively prosecuted with you in the bay?—A. I think they do their best all the time. The whole season they fish.

Q. Is there not one portion of the season when they would expect to have a larger run of fish than another?—A. Generally the last run of fish has turned out the best.

Q. When does it occur?—A. Along in July. The first fish we get are a good size too. As the season gets along the catch dwindles down smaller.

Q. Do you think the fish remain in the bay all winter?—A. Yes.

Q. Have you ever caught them in the winter?—A. I have seen them brought up in mud diggers and smelt seines.

Q. That is all through the winter?—A. Yes, in January.

Q. Do you think they all remain there?—A. I think they do. In Grand River there is better fishing when the season opens than anywhere else in the bay, so the lobsters must stay there.

Q. How long does it take to get out your gear?—A. It depends on the weather. If fine, a day or two; if stormy, it takes a week or a fortnight.

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Q. The weather will not affect you up in the bay as much as it will outside?—A. We cannot do anything in rough weather.

Witness discharged.

P. M. ARSENAULT, canner, St. Chrysostome, called and sworn:—

By the Commissioner:

Q. In what part of the Island are you located?—Egmont bay.

Q. Are you a canner or a fisherman?—A. A canner, sir.

Q. You have heard the evidence given by the other gentlemen who represented the cannery here, do you on the whole agree with it?—A. To a certain extent.

Q. How long have you been engaged in canning?—A. Seventeen years.

Q. Always in the same place?—A. Yes, sir.

Q. Do you control one cannery or more?—A. One.

Q. What number of boats do you fish?—A. Fourteen.

Q. Are they all you own?—A. Twelve my own, and I buy from two.

Q. Do the men in your own boats fish by weight, or by the hundred?—A. By the hundred.

Q. How is it in the case of the other boats you buy from?—A. It is by the hundred too.

Q. What is the average price paid for lobsters per hundred?—A. My own boats I pay from 60 to 75 cents. The others get \$1.50.

Q. What number of hands do you employ in your cannery?—A. About fourteen girls and six men.

Q. You are still packing now?—A. Yes.

Q. How has your pack been this season?—A. Very poor.

Q. How does this year's pack compare with that of last year?—A. It is only about a half.

Q. How did you do last year?—A. Just fair.

Q. And in 1907, how was the pack?—A. Good.

Q. What did you can that year?—A. We canned over 900 cases.

Q. Have you any idea what you will run to this year?—A. We might pack 450 cases.

Q. How does the run of fish you are packing now compare with what you used to get when you first began to pack?—A. This year they are fairly good in size.

Q. But scarce in quantity?—A. Scarce in quantity. They are about double in size what they were last year.

Q. Does your experience vary from year to year considerably as to size?—A. Yes.

Q. Then I suppose they come in runs all the season?—A. Yes, that is right.

Q. What percentage of the lobster, taken in your neighbourhood, do you think would be female lobsters with spawn?—A. This year we did not get many. In June we got from 15 to 20 per cent, and I have seen them 75 per cent on the cooler in that month.

Q. Would they be a good run of fish?—A. A fairly good run.

Q. What percentage of the fish taken in your neighbourhood will be below the legal size? Of course it is generally admitted that there has been no enforcement of the size limit regulation.—A. It depends where we are fishing. If we are fishing inshore, they would be smaller than if we were fishing outside.

Q. Is it safe to say that, as a rule, you get a smaller run of fish inshore than you do off shore?—A. Yes, sir.

Q. How far off shore do your men fish?—A. We fish from a mile and a quarter to ten miles.

Q. What is the average depth of water there?—A. We have from two to ten fathoms.

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Q. Do they fish in the same depth of water all through the season?—A. No, we only get into deep water coming on the last of the season.

Q. You reverse the usual procedure: Most fishermen begin in deep water and move into shoal?—A. We commence in shoal water and gradually work out.

Q. Experience has shown you that you follow the fish better by doing that—A. Yes, sir.

Q. What is the smallest sized female lobster you ever saw bearing eggs?—A. We get them as small as 8 or 9 inches, but the general run are a pretty large fish.

Q. Do you think there is any part of the season when lobsters are not fit for food?—A. I don't think there is.

Q. I suppose when they are casting their shell they are fit?—A. Yes.

Q. When do you have the best of your fishing?—A. We get our best fishing from the 15th July towards the close of the season, the 10th of August.

Q. What would you think of the proposition which has been made by some fishermen to change the season in your division?—A. We want a change of season bad. We want to start about the 1st or 15th July and fish about two and a half months.

Q. Would you favour that change?—A. Yes.

Q. We met a great many on the New Brunswick shore who spoke of that. A. Yes, sir, we will protect the lobsters by doing so.

Q. On the other hand some people have told us that the loss of gear—the rotting of the rope in warm weather and the destruction of traps by the borer—would be much greater than when fishing in the present season. A. There would not be any greater difference in that kind of thing I think.

Q. Some of the fishermen have told us that the gain from the change of season would be such that they could afford to put up with any loss of that kind?—A. Yes.

Q. Have you ever spoken about that change to the fishermen or canners?—A. Yes, sir.

Q. And how do you think they generally feel about it?—A. They are in favour of it in our locality.

Q. What is the opinion generally?—A. At Fifteen Mile, farther up this way, they are opposed to it. But from our locality up to West Point they are strongly in favour of it.

Q. That is from Cape Egmont to West Point?—A. Yes, sir.

Q. Have the berried lobsters always been brought to the factory?—A. Up to this year.

Q. Has there been a good effort made this year to stop the practice?—A. There has been an effort to a certain extent, but not a very big effort.

Q. Would you be in favour of the establishment of hatcheries?—A. Yes.

Q. Of course if you change the season, you will not get the eggs for a hatchery?—A. No, that is right. Oh, yes, I would be in favour of a hatchery, if they did not change the season.

Q. Is there any place in your neighbourhood where pounds could be established?—A. Right at Egmont bay. There are two places that would be good places for pounds.

Q. Do lobsters go there already?—A. Yes, in one place in Percival river.

Q. There would be no doubt about their living there?—A. No.

Q. What proportion of the lobsters taken in your neighbourhood would be below the 8-inch size limit?—A. About 12 to 15 per cent.

Q. They were measured in your cannery this year?—A. No, sir.

Q. What would be the effect on you if the present regulation confining you to 8 inch lobsters, were strictly enforced?—A. It would hurt me to a certain extent.

Q. Would it shut you up?—A. I don't know whether it would or not. It would shut me down inside, and I would try and fish outside.

Q. The idea of enforcing the size limit strictly would be that, in a very few years to come, the fishery would have improved so that you would not suffer any loss by it?—A. No.

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Q. What do you think of the present method of restricting the issuance of licenses to can?—A. It is a pretty hard thing for me to answer that. I think there are too many licenses issued already, for the reason that there are too many traps out.

Q. That leads to another question: Do you think there is any object in limiting the number of canneries, if you do not limit the amount of gear?—A. No, I don't think so.

Q. Do you think it would be possible to limit the amount of gear fished by each canner?—A. No. From here it could hardly be done.

Q. Do you think there is any reason why anybody who establishes his competency to pack should not be given a license?—A. No, he should be given his license, I think, as far as I know.

Q. Do you think that the decrease in the fishery has been due to over-fishing?—A. Yes, I think so.

Q. What do you think of the various propositions that have been made at various times; take for example closing down altogether for a term of years?—A. I don't think that would work at all.

Q. What about closing down by sections?—A. I don't think that would work either.

Q. Or doing away with the size limit and shortening the season?—A. That would not work very well in our section.

Q. Do you think there is any good reason for having a smaller size limit in one district than in another?—A. No, I don't think so.

Q. What do you think of the live lobster industry; in your opinion is there any opportunity of encouraging it in this neighbourhood?—A. No, I don't think so.

Q. The facilities do not exist here?—A. No.

Q. Do you think there is anything in the statement made by some people that the lobsters from Prince Edward Island will not stand transshipment; some people have said that the Atlantic lobster is much hardier than the Prince Edward Island lobster?—A. We exported some a few years ago and they did not prove satisfactory. There was a certain party in Summerside buying live lobsters. He tried the business and bought a good many, but it did not prove satisfactory and he lost money on it.

Q. Was that due to the fact that he could not get his lobsters direct to the market?—A. Yes.

Q. Do you think that if facilities were provided and the trade inaugurated, it would be a more profitable one for the fishermen than selling to the canners?—A. If he could get them to the market in good condition.

Q. How many lobsters do you estimate it takes to fill a pound can in your neighbourhood?—A. It varies from year to year. We take them from $6\frac{3}{4}$ up to 9. This year it will be somewhere about 7. Last year it was about 8. We get them some years as high as $9\frac{1}{2}$.

Q. Have you ever known a fisherman to suffer loss by the canner refusing to accept his catch of lobsters?—A. Never.

Q. Do you think that, as a rule, the fishermen are satisfied with the price they receive for lobsters?—A. Yes, so far as I know.

Q. Who fixes the price?—A. The packers generally do.

Q. Do the same fishermen as a rule fish year after year?—A. Yes, sir.

Q. A man usually attaches himself to the same packer?—A. We generally get new ones.

Q. Do you think the existing penalties are sufficient; have you ever known of anybody being fined?—A. Yes, I know of a few.

Q. Were you one of them?—A. Yes.

Q. It must have been a long time ago; was it fishing after season?—A. Doing something wrong.

Q. Have you any other change you want to suggest?—A. We want to protect the lobsters in the month of June. That is the only suggestion I have to make.

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Q. Do you think the canneries should be inspected?—A. I don't know anything about that.

Q. What do you think about giving a license to an alien?—A. I don't think it would be right.

Witness discharged.

G. SHELTON SHARP, canner, Ellerslie, called and sworn:—

By the Commissioner:

Q. In what part of the Island is Ellerslie?—A. That is the location where I fish out of—Hardy's channel and Richmond bay.

Q. How many canneries do you control?—A. Two.

Q. Are they both in the same neighbourhood?—A. They are within three miles of one another. One in Richmond bay and the other on the back shore, the outside shore.

Q. What number of boats do you run?—A. We have nine boats of our own, seven on the outside shore and two in.

Q. And you buy from how many?—A. We buy considerable inside, none outside.

Q. What would be the price paid inside?—A. We generally buy by weight. This year it ranged all the way from \$3.75 to \$4.

Q. That is where the fishermen are supplying their own gear?—A. Supplying their own gear.

Q. What is the practice with your outside fishermen as to the placing of their traps, do they fish far off shore in the opening of the season?—A. They never shift their traps off our shore, they fish from two to three miles out.

Q. In what depth of water?—A. From six and a half fathoms out to twelve.

Q. Is there any particular bottom they like to get on?—A. All on rock bottom, the sand is no good outside.

Q. Is the loss of gear considerable outside?—A. This year it would be about one-fifth of the total amount.

Q. At what period of the season do you find the outside fishery at its best, at the opening of the season?—A. At the opening of the season.

Q. Does it become necessary to move traps there?—A. No, we never shift. There are some of the other factories doing what they call gully fishing in shore at two to two and a half fathoms of water, but it is very destructive to gear and all the factories do not do it.

Q. Besides being destructive to gear does gully fishing result in the catching of more immature lobsters?—A. Smaller fish.

Q. Do you think it is safe to say, other things being equal, that in shoaler water you get smaller fish?—A. If you leave the rock and get on to the sand it is.

Q. Is there any period of the season when you expect to get a larger run of female lobsters?—A. Along the first of the season we get the females, but egg-bearing lobsters we don't get many of.

Q. What percentage do you get?—A. They claim not over three per cent.

Q. It is not very likely to be large all through the season. We have heard of 75 per cent, which must be just a run. A. There is never any run on our shore of that description.

Q. Do you notice that the eggs are riper at any time of the season?—A. No. On different lobsters they are advanced in different stages.

Q. They are riper on some than on others?—A. Yes, but the season does not make any difference.

Q. You can detect the young lobster with the naked eye?—A. Yes.

SESSIONAL PAPER No. 22a

Q. Do you think it takes a greater amount of gear now to keep up the catch than it did formerly?—A. If we can get it on the same ground it does not.

Q. What prevents you from doing that?—A. The crowd.

Q. Are there many canneries in your neighbourhood?—A. On the outside shore there are two besides ourselves fishing out of the same harbour.

Q. And inside how is it?—A. Inside we are by ourselves but we are in competition with all the bay factories.

With regard to the bay fishing, when does it begin?—A. There is no fishing to speak of there until July, not until the lobsters shell.

Q. You don't find the fish there in the fall?—A. Just a few, what fish there is in the bay.

Q. Do you think the lobsters winter in the bay?—A. A certain quantity.

Q. What is the greatest depth of water you get there?—A. As deep as ten fathoms.

Q. With a muddy bottom?—A. A muddy bottom. I don't know that there would be ten fathoms, there may be only six or seven.

Q. What would you say was the spawning season of the lobsters?—A. We find them as early as we set out in the spring, and we find them when we finish, but the largest quantity I would think would be along in May and the first of June.

Q. Do you think the lobsters approach the shore for the purpose of spawning?—A. I don't think so, I think it is for the purpose of shelling.

Q. Would you fix a limit along the shore within which you would not allow any fishing?—A. I don't know. You could not in regard to the bay. For the outshore fishing you might fix a limit.

Q. What is your candid opinion with regard to bay fishing, you have had experience of both. We hear various accounts of it. Some people say it is evidently destructive, others say that it does no harm whatever.—A. Since I was big enough I have been fishing and we find them just as plentiful and of the same size as we did then, although there is more gear and the lobsters are divided up more.

Q. You do not find that you are packing an unfair proportion of breeding lobsters?—A. There are very few of them in the bay, that is, the spawn lobsters.

Q. What would you think of the proposition to increase the space between the slats in your trap? It seems to have been narrowed down a great deal of recent years. A. I don't think it would be a bad idea at all.

Q. Do you think it would allow a greater proportion of small lobsters to escape?—A. Yes.

Q. What would you fix the width at?—A. That would be just hard to say on account of the lobster itself. Some say in the bottom lath they used to take about an inch and a half.

Q. Do you think the required width should be all over the trap, or would it be enough to have the space widened between the three bottom slats?—A. I think the three bottom slats.

Q. And what about the bottom?—A. They could not get out at the bottom. That would remain on the rock, or whatever formed the bottom.

Q. At what size would you consider the lobster to be fully matured?—A. Well we measured them this summer and we got them all sizes, 10½ inches and 12 inches.

Q. Would that be lobsters with berries?—A. The outside lobsters. Oh, the berried lobsters you mean?

Q. What is the smallest berried lobster you have seen?—A. Not very small, not under 8 inches. I don't think you would get very many at 7 inches.

Q. About one in a hundred thousand where any record has been kept. Generally speaking the berried lobster is a good fish?—A. A nine or ten inch lobster.

Q. Is the practice of stripping or washing the eggs off the berried lobster followed in your neighbourhood?—A. Not in our neighbourhood.

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Q. To your knowledge is there any illegal fishing?—A. No, when we close down every factory stops, that is as far as I know.

Q. Has it been the practice for you to receive all lobsters that were brought to you whether undersized or berried?—A. We refuse all berried lobsters.

Q. Yes, but only this year?—A. No, last year too. Mr. Matheson wrote the warden in our district to keep an account of them and we kept an account for a while. Afterwards the fishermen claimed they threw them over; they never brought them in anyway.

Q. Do you think there is a growing disposition on the part of the fishermen to observe the law in that respect?—A. Oh, yes.

Q. Do you think the fishermen realize the necessity for doing so?—A. They realize the necessity of throwing away spawn lobsters.

Q. Do you think there would be any advantage in trying to get the fishermen in your neighbourhood together and speaking to them on that matter?—A. It would be a good idea.

Q. Some of them I suppose would listen to what you had to say?—A. Oh, yes.

Q. On whom do you lay the blame for the non-observance of the law, on the canner or on the fishermen?—A. Both are equally to blame. If the canner takes the fish, I would say he was to blame.

Q. Some cannery have told us they felt themselves obliged to take the fish, because if they did not, they would lose their fishermen.—A. We never had any trouble of that kind. We simply told the fishermen we would be fined if we took them.

Q. Would you be in favour of establishing a hatchery in your neighbourhood?—A. Certainly.

Q. And be willing to pay a larger fee for the purpose of raising a fund to purchase the berried lobsters?—A. Yes.

Q. What would you think of the proposition to do away with the size limit altogether; I suppose the size limit is one that would be difficult to enforce?—A. Oh, yes, it has not been enforced this last few years.

Q. Was it enforced at one time?—A. I believe at one time they were very strict on this 8-inch law. I think it was under the Conservative government.

Q. Sir Hibbert Tupper tried to live up to it pretty thoroughly?—A. Yes.

Q. If the present size limit were strictly enforced what effect would it have on the canner?—A. He would get only half his fish.

Q. Would it put him out of business?—A. It would put him out of business under present conditions.

Q. What do you think of restricting the number of licenses?—A. It would seem that any man that wants to pack ought to be able to pack, but at the same time—

Q. Do you not think we ought to get from such a man some guarantee that he was able to pack up to a certain standard?—A. You would think so. The people already in the business have built it up and put a good article on the market.

Q. Do you think it would be possible to limit the amount of gear fished by a canner?—A. I think it would be pretty hard to do of course.

Q. It seems unnatural to limit the number of cannery and not limit the amount of gear?—A. Yes.

Q. What do you think is the real cause of the decrease in the fishery?—A. Well in our section we have not had any noticeable decrease. They were better this last few years than they have been—that is on the outside coast—and there were as many caught in the bay, but they were more divided up on account of the traps.

Q. You think then that in your section there is no diminution in the fishery?—A. No.

Q. Neither in size nor quantity?—A. Neither in size nor quantity.

Q. Would you say it was in the interest of the lobster fishery that lobsters should be taken before they had reached the age of maturity, or the age at which repro-

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duction takes place?—A. That would be pretty hard to say. There are other things that destroy lobsters before they reach the age of maturity especially on our side. We often find the fish destroyed—the small lobsters.

Q. But those were causes that always existed?—A. They always existed, yes.

Q. Could you tell us anything about the live lobster trade?—A. No.

Q. Was that trade ever attempted from your section of the Island?—A. Not from our section. The facilities do not exist. You cannot get the lobsters in time to ship them off on the morning train, and we would have to have special cars for them.

Q. Could you tell us how many pounds of green lobsters it takes to fill a pound can with you?—A. We generally go by the case, from 210 to 230 pounds to the case.

Q. Do you think the existing penalties are sufficient?—A. Unless they made the berried law more stringent.

Q. Is the recent law regarding the close of the season satisfactory in your case?—A. It is on the outside, but we claim we ought to have a longer time inside. On the outside we are satisfied with the season as it exists.

Q. What do you think of the opening day, does it suit you?—A. We protested last year against the change from the 20th to the 26th. There are certain years we can get out on the 20th and run out lines.

Q. What led to the change?—A. The amount of old stock on hand last year they claim. They wanted to create the impression abroad that we had a shorter season.

Q. Do you think the product of the canneries should be subject to inspection?—A. We generally have to have a good article now before we can sell it.

Q. What do you think about issuing licenses to aliens?—A. The Canadian should have the preference I think.

Q. What is your opinion of the policy of encouraging fishermen to co-operate in canning?—A. It is a good idea.

Q. Are there any co-operative canneries in your neighbourhood?—A. No.

Q. Are you aware of any complaints made by fishermen that the price paid for lobsters is not satisfactory?—A. No, there is generally a difference between the packer and the fisherman when the former is making his arrangements in the spring, but after that they are generally pretty well satisfied.

Q. Is it to your knowledge that fishermen have ever suffered injury by the failure of canners to operate their factories?—A. Not in our section.

Q. If canning were stopped would the fishermen find any market for their lobsters?—A. No, I don't think so.

Q. Do you think that the shipment of live lobsters should be encouraged by providing the necessary facilities?—A. Well I don't know. In this section we are a long piece away, and everything in the States is sold on commission. Sometimes it pays well and sometimes it does not. We can the lobsters here and we give employment to people.

Q. Where it is possible for the live lobster industry to be carried on, do you think it should be encouraged rather than canning?—A. I would think so.

Q. You take the southern coast of Nova Scotia, the bulk of the trade there today is in live lobsters, but of course they have the necessary facilities for carrying it on successfully. Which branch of the fishery do you think would be the most profitable to the fisherman?—A. The live lobster trade would.

Q. That is where it can be carried on successfully?—A. Yes, carried on successfully.

Q. It has been suggested that a fisheries board should be created for the maritime provinces to advise the department with regard to fishery regulations; would you approve of such a scheme?—A. Yes, sir, I would.

Q. Is there any other matter you would like to express an opinion upon?—A. Nothing in particular only those hatcheries. I would recommend them.

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Q. You have already said you would have no objection to paying a slightly increased fee?—A. Yes.

Witness discharged.

DOMINICK MURPHY, fisherman, Egmont bay, called and sworn:—

By the Commissioner:

Q. Are you a fisherman or canner?—A. I did get a chance this year to can a few.

Q. Through a co-operative cannery?—A. Yes. I have always been a fisherman and I did get a chance this year.

Q. How many of you were united together?—A. There were 15, but the 15 did not stay. They were too late getting their license and some of them had to sell. Some of them saw they could not fish for what they were getting by the hundred weight and they gave up their gear and went away to Boston.

Q. That left you with how many associates?—A. Me and another man had to use the license and do the best we could, packing and fishing, seeing that it was granted to us.

Q. What number of boats did you fish?—A. Only two of my own and the other man's.

Q. And what number of traps?—A. I only fished 127.

Q. How many did the other boats fish?—A. Well I suppose he has got probably a little over 200.

Q. Did you fish alone?—A. No, sir, I fished with my boy.

Q. What number of cases did you pack as a result of your operations?—A. We were late. It was somewhere about the other day before we did any packing at all.

Q. You have some days to run yet?—A. I think we have something near about 9 cases, I am not sure exactly, but that is just for the one boat with 127 traps. It may be over that.

Q. And before this year were you engaged always as a fisherman?—A. Well I think so. Year in and year out I think I have fished on that shore since 28 years ago.

Q. When was the first cannery opened there?—A. Mr. George Longworth and Mr. Brown on the West Point, I think, were the first.

Q. How does this proposed change in the season strike you?—A. I believe the early fishing is the more expensive to the fish and to the people engaged, because here on our shore the lobsters come in to spawn, and the month of July you may have good sized fish but he is awful light, there is no cooking in him.

Q. Under the regulations as they are now you are allowed to fish from the 25th May until the 10th of August?—A. Yes, sir.

Q. How would it suit to change that season and make it 15th July to the end of September?—A. That is what we want in our neighbourhood.

Q. I suppose there are no fishermen here from the lower sections, you are all from Egmont bay?—A. I think there are some here from around the north shore.

Q. You think that by fishing in the later season you would escape the capture of spawn fish?—A. It is the case of a man fishing and at the same time trying to save his hay fields and all the rest of the goods he has got an interest in. That is the time I think that the fish spawn, and as soon as they have shelled, there have been very few spawn lobsters seen. By fixing that term I think the spawn lobsters would be pretty nearly gone altogether.

Q. Some people say it will take at least 30 per cent more lobsters in number to fill a pound can in that season than in May and June. A. It is all right for those who go fishing early in May. Up to July now they are small fish.

Q. Then when should you fish again?—A. Just now they are commencing to be good fish.

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Q. How far off shore do you fish?—A. It depends upon the weather and wind.

Q. Are you fishing in the bay?—A. In the bay, very close to the shore.

Q. On what shore do you fish?—A. On the north shore of Egmont bay.

Q. Nearer West Point?—A. Yes, sir.

Q. In what depth of water do you fish?—A. We had, I should say, about two fathoms where we started in this spring.

Q. What time of the season do you get your best fishing generally?—A. Up to the 10th or so of July. In July our fishing slackens off.

Q. Do you fish all the time in the same depth of water?—A. I do that. I hardly ever shift my gear.

Q. You do not fish that way all the time but devote yourself also to farming?—A. I have got a farm on the shore and I farm and fish.

Q. What is your opinion with regard to the condition of the lobster fishery, do you think it is as good as ever it was?—A. It is not so good. The lobsters are not so numerous and the fishing is not so good; there is just as much money in it as when the price was so low per case. Mr. Longworth told us he has sold a case as low as \$5.50; he hired men and gave them as much by the hundred weight and by count as he does now. Still prices go as high as \$10.50 and \$15 now; they cannot go any higher in price, those that are buying.

Q. Have you any idea what number of lobsters it takes to fill a pound can?—A. We had a kind of memorandum up to July. I am not certain because I am not the fellow that keeps the books.

Q. Still you have secured your license and are sure of it another year?—A. Yes, we are packing now. There were 15 men signed and the rest all died away or had to leave.

Q. Do you expect to re-organize?—A. I do, yes. I have got two young men fishing by the hundred. One young man is fishing out in deep water with about 180 traps. There is another packer who has about the highest number of traps to a boat that we have in the harbour. My oldest boy is fishing with him. I think I made as much as the two of them out of 170 traps. I did not intend to fish at all or sell because I could not live. I could not provide for my house and get a little tobacco and sell at \$2 a hundredweight.

Q. Would you say the fishermen, generally speaking, could make more money if they were allowed to pack than by fishing on their own hook?—A. I am prepared to prove it. I used to fish by the hundred, by count and by weight, and I have figures to prove it.

Q. What quantity of lobsters were you prepared to can?—A. We could not expect to can very much. We had only a small rig. Still, as the license was granted, somebody had to take hold of it. I would not fish at all selling by count; it would not pay me. A man could not live.

Q. Is there any competition in the matter, or are you forced to accept a certain price?—A. It is like this: A man has got to have something for his labour or else he must leave the country and go somewhere else. You cannot live in this country without value for your labour. If men cannot get to-day what they want in order to enable them to live they must do something else.

Q. What is your practice with regard to small and berried lobsters?—A. We have had them brought ashore pretty small.

Q. Do you take everything you get?—A. Pretty much. One fisherman will say: 'What is the good of my saving these fish because another man will have them?'

Q. You are speaking of the berried fish?—A. Yes.

Q. When you were fishing did you take to the factory everything you caught?—A. Pretty much. That is what we counted on.

Q. Did a canner ever raise any objection?—A. We have among ourselves, because if we were going into the business we would need to save the fish. It is like a man

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saving his credit or anything else. If you are interested in the business and saving anything out of it, you want to try and secure it for another year.

Q. Have you any idea of the percentage of spawn or berried fish in your catch?—

A. I do not keep any account.

Q. Could you give me any idea of the smallest sized berried lobster you ever saw?

—A. Upon my word it would be pretty small, but I could not give you any statement and do it right.

Q. Have you anything to say regarding the establishment of fish hatcheries?—

A. Well, I suppose if there was a fish hatchery in the place it would be better than taking the spawn lobsters and using them. A man who had any interest in packing so as to prove successful and do what he could, would want to see them saved.

Q. Would you suggest anything for the improvement of the fishery?—A. That is to save the spawn lobsters?

Q. For the protection of the industry in the matter of spawn or undersized lobsters or anything else?—A. I don't see any way more than that a man who packs them should be put under a penalty. The packers should not take any of these fish from any fisherman. If the fishermen don't wish to stay, let them hire them by the month or give them so much wages and leave the fish there.

Q. Do you think the packer would be able to keep on if he were confined to the present size limit?—A. As far as the spawn lobsters are concerned it would be all right to save them. But with the medium fish, I would say it would be all right to pack them. The big ones in deep water are poor looking fish. The inshore fish shell earlier than the deep water fish. Then they fill up and give better returns than the great big fish.

Q. Is the practice of stripping or washing the eggs off the female lobster followed by the fishermen in your neighbourhood?—A. I heard tell of it and tried it myself on one. I don't think that any man would go to the bother for the sake of a lobster. I think the fisherman if he was frightened would not bother about them. I would not. I tried one so that I would know for myself.

Q. Is it the practice among fishermen to avoid dealing with the canner who is known to be scrupulous on the subject of taking undersized or berried lobsters?—A. I don't know, sir.

Q. What do you think is the best way to get at the fishermen to induce them to observe the law on this subject?—A. The only way I see is for the fishermen themselves that can handle the matter between them. The men that use their own fish, and pack them, are likely to be careful, they are not going to put themselves out of pocket. In the case of hired men that are fishing by the hundred they have got to make a count to make wages. That is where the value of the license comes in. Every man along the shore who can pack his own fish and wants to continue packing, will be careful about those fish the same as he is about his hay and oats.

Q. Then as I understand you would give a license to every man that applied for it?—A. I would say to every man that used his own gear and produced fish fit for the market.

Q. Are you aware of any fishermen having lost his catch through the canner refusing to accept them?—A. No, they would sooner take some pay for them or take anything. Some people say: 'What are you paying a hundred?' 'Fifty-five and sixty cents.' Probably some of the people that would go to fish at the first part of the season would say 'I am getting 60 cents a hundred.' Well, he has a double boat, that is plenty. That would be 30 cents a hundred for the boat for one man; it is not 60 cents for each man but 30 cents. The lobsters are put up that way and if the thing is not given out so that people will understand it, they will say 'That man is getting 55 or 60 cents.'

Q. He has to hire his men?—A. He has to hire his men so that he gets 30 cents and his man gets 30. At the rate they are paying now, \$2 or \$3, a man does well to get 50 cents and go out at the first part of the season and rig his traps.

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Q. Do you know anything about the live lobster trade?—A. We have seen some men buying around here who made a big offer to people that were fishing their own gear. Those men were drawn away from the packer with whom they contracted. But the thing did not last. Shipping live lobsters would be all right if there was a certain market provided and boats running so that a man could depend upon his lobsters being cared for. It costs a lot to put up gear and a man might get a big price to-day and perhaps the buyer would never come back any more.

Q. Then I understand you to favour the co-operative plan of packing?—A. That is what we did this year.

Q. Is yours the only co-operative cannery in your neighbourhood?—A. Yes. I think myself the co-operative system is all right. I don't think it will interfere with me or with any other man.

Q. Would you favour establishing a fish hatchery?—A. Yes, I believe it is all right. There are good means as far as water and ground are concerned to have it. I think if you put the season as late as the 15th of July it would be all right.

Q. Do you think that is the general feeling of the fishermen in your neighbourhood?—A. Yes, sir, I think so. It will give the men that have got farms a chance to put in their crops, and then get out their boats and do their fishing.

Q. Is there anything else you would like to say?—A. Nothing more than about us getting 15 men to sign for a license. It should be sufficient if there are five or six men that want to live and work and have got boys who don't want to quit the country to look for work. If a man has to run around to the packers and others to get names in order to try and keep his family together, I don't think it is fair.

Q. Do you think the number of men necessary for a co-operative license should be reduced?—A. I think a man that has got a family and the means to put up fish right, so that there is no waste and the buyer is satisfied with the packing, should be allowed to pack his own fish.

Q. Then you think that any man who shows his ability to put up good fish should be licensed?—A. Any man who puts up his fish right and is trying to keep his family together and not let them go out on the world, has a right to pack without going to 15 or 20 people to get them to sign. I don't think there is any need of that. We are paying the government a tax and living in a civilized country and a man should have what he earns.

Witness discharged.

H. B. S. BIRCH, fisherman, Port Hill, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing?—A. Last year was my first year lobster fishing.

Q. And are you still fishing this year?—A. Yes.

Q. Did you ever can at all?—A. No, I have had no experience canning.

Q. Are you fishing in the bay or outside?—A. In the bay.

Q. Are you a farmer living in that neighbourhood?—A. Yes, I farm.

Q. At what season of the year do you begin to fish?—A. I ran one line, I think on the 26th April. The first lobsters I sold May 15th.

Q. What particular canner do you do business with?—A. Last season I sold to Mr. Wright. He has a cannery right on our shore there. This year I sold to Mr. Theodore Scott.

Q. Are you fishing your own boats and gear?—A. My own boats and gear.

Q. What arrangement did you make with the canner, what did you receive?—A. There was a sort of strike on in the beginning.

Q. That is this year?—A. Yes. The packers seemed to combine in some sort of way, or there was a report that we were to be offered only \$2.50 per hundred weight.

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We fish by the hundredweight. Mr. Scott offered \$3 and a rise so I went with him. I might say that the combine, or whatever there was to it, did not last. It broke up and they were all paying high prices.

Q. Prices went up generally?—A. All around the bay, they all went up.

Q. There is no fisherman's union in your neighbourhood?—A. There is no fisherman's union any more than just there: We came under arrangement that we could not fish for \$2.50; it would be better to put our gear ashore.

Q. You have not had much experience in fishing?—A. Not very much.

Q. You cannot tell us anything about the present condition of the fishery compared with what it was in the beginning?—A. No more than that I live just on the shore and have heard them speak about what it has been.

Q. How would you consider the fishery to-day?—A. The fishing in Malpeque bay is better than it ever was.

Q. You think the bay is better than it ever was?—A. Yes, sure. That is I cannot swear positively to the dates now, but before I was married some 22 or 23 years ago, Mr. Bond had a factory there and all their gear was outside. It was thought an absurd thing to put a trap in the bay to get lobsters, but they finally began to put some traps in the bay and they got some fish. The year before last, and last year, there was good fishing in the bay. This year it was not so good owing to the season being so late.

Q. What made the season late this year?—A. I think it was the ice conditions.

Q. The ice hanging on the coast?—A. Outside.

Q. Has the amount of fishing done in the bay increased greatly from the time you speak of?—A. There are many factories on the shores now and all fish in the bay and are maintained from the bay, whereas this factory I speak of was on Fish Island and the fishing was done outside.

Q. Is the amount of gear fished in the bay much greater than it was formerly?—A. Of course it is increasing and the fishing the year before last was the greatest I think in the history of the bay. This year if we were fishing now there would never be greater fishing in the history of the bay. I have reason to state that. I had a line left out with 30 traps. Some of those had the hinges broken and some six or seven I had to leave, but I had as many as 18 and 20 lobsters.

Q. What sort of fish were they?—A. Good large fish. I fish in deep water myself.

Q. What do you call deep water in the bay?—A. Anywhere from 18 to 30 feet. It is only in the channel that you get very deep water in the bay.

Q. Do you confine your fishing to the channel or do you fish off the shore?—A. This year I only ran one line in to the shore. My other four were in the channel.

Q. At what time of the season do you expect to make your best lobster fishing generally?—A. The last of June to the 1st of July. I have the fishing book right here and can give you the figures of what we have done. The first I landed on the 15th of May was 97 pounds. I had not all my gear out then. On the 17th May, 94 pounds; 18th, 98 pounds; 19th, 108 pounds; 20th, 64 pounds; and 22nd, 122 pounds. Now on June 7th, which would be a Monday, I had 165 pounds; June 9th, 99 pounds; June 10th, 71 pounds; June 11th, 108 pounds, making in that week 443 pounds. Now June 14th there is 57 pounds; June 16th, 64 pounds. I suppose windy weather prevented me from fishing the other two days. I only fished from June 14th to June 16th in that week and the catch was 121 pounds. I began again June 21st, 165 pounds; June 23rd, 178 pounds; June 25th, 141 pounds; June 26th, 103 pounds, making in that week 487 pounds, only living wages. Now here is June 28th, 200 pounds; June 29th, 183 pounds; July 2nd, 207 pounds; July 3rd, 127 pounds, making in that week 717 pounds. Now on July 5th, 222 pounds; July 6th, 103 pounds; July 7th, 145 pounds; July 8th, 144 pounds; July 9th, 155 pounds, showing you the increase in the latter part of the season.

Q. Did you find a large proportion of berried lobsters?—A. This year all to my memory is 3. Last year was my first year's fishing. I was talking to the old fishermen and they told me it was a marvel in the history of fishing to find so many berried lobsters in the bay.

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Q. What proportion did you find last year?—A. I could not tell you. We threw over an awful lot because I don't believe the fishermen should land berried lobsters; he is not a fisherman if he does land them. A robber that wants to rogue may, but the fishermen won't land berried lobsters because it is not in his interest to do so. When he does land one he does not know that he is doing it. This year I only remember of catching three in my traps. I threw them away as I drew them out of the traps. I don't think any fisherman would land berried lobsters, that is with the berries on.

Q. What proportion of the lobsters taken where you fish are under the 8 inch limit?—A. You cannot get that information very accurately from me because I fish in deep water. I saw what lobsters I fished myself and saw them on the outside and I thought they were the same lobsters; I could not see very much difference.

Q. What would be the average run of your lobsters, how many would they run to the hundred pounds?—A. I could not answer that, I never counted them. We always sell by the hundredweight and we just throw them in and they are weighed.

Q. Was there ever any objection made by the canners to receiving anything that was brought him?—A. Well, not from me.

Q. They take whatever you bring them?—A. I always brought them good lobsters. If there are little ones I don't bother putting them in because I don't think it is worth while, I don't think a man gains by taking them.

Q. I think if the fishermen were all like you we would not have any necessity for holding three inquiries. You think that the regulations for the protection of berried and under-sized lobsters are observed?—A. No, I don't think that at all. I think there are some people that don't regard the law, although it should be to their own interest to do so, if they intend to follow the industry. Certainly accidents will happen. I remember two or three times coming in and finding berried lobsters in my barrow load and throwing them over.

Q. In handling a large number of lobsters such a thing as that might happen?—A. No man who intends to fish lobsters will take a berried lobster.

Q. What do you think of the proposition to do away with the size limit and slightly shorten the season in compensation for it?—A. If we shorten the season in Malpeque bay you had better give us compensation for our stuff, because the first of the season is very little good to us. It is the latter part of the season when we do anything at all and that is very little this year.

Q. If the lobsters winter in the bay, how is it you do not do well in the beginning of the season?—A. They do not winter in the bay.

Q. You think they come in from outside?—A. Certainly they do. You may get a few, there are exceptions to all rules. It can be experimented on by setting traps during the winter, that is the only way I know of to prove it. There has been some evidence touching on this matter by persons who have set out a few traps.

Q. Through the ice?—A. Yes, they got very fair fish and then they got nothing. They evidently fished out a few that were in the grass.

Q. You would not expect the lobsters to be very active in the winter?—A. I don't know where they go. Of course they do not trap in the winter. It is a very strange thing, they would trap a certain number and they would not get any more. How is that? They get a certain number first and they are very fair and then not any more. It seems as though they exhaust them. I don't think they are in the bay like other fish, but that they make for deep water in winter.

Q. Have you any changes to suggest in the regulations?—A. As far as I can find out from the different fishermen, talking socially, the conditions vary very much. Now out here on the south side they seem to want a different season altogether from what we want. Malpeque Bay should have a different season entirely from what we call the north side, those fishing outside. One reason is because of the ice conditions, we are handicapped at the spring of the year, we are always late. There are always two or

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three weeks in the date of starting in the early spring when our season opens that we may run lines and sometimes lose them.

Q. That is outside, not inside?—A. Yes, sir, inside, the ice comes right in. You must consider that we have a very small harbour and the current is very great, and when an east wind sets in with the tide, the ice comes right in and grounds and takes our lines and traps and it speaks ruin to us.

Q. What is the latest date at which you have known ice to come into the bay?—A. I could not give it to you. This year it has been later than I have known it for some few years.

Q. When did the ice leave this year?—A. I could not state that. I know we could not fish this year until later. The 15th of May was when I landed the first lobsters, there were others landing lobsters before that.

Q. I understand you to say you think you should have a longer season in Malpeque Bay on account of the ice?—A. In my opinion we would rather lose two days in the beginning than one in the end, that is not letting the season go too long. There is no use in forcing the thing. If we could get five days more in the end I would be willing to give ten days at the beginning, say if we go to the 15th of July in the bay and started on the 1st or 2nd of May. Swap two for one, that is what I suggest, and I think any fisherman who is fishing there will find that is a just plan to adopt. The fishing outside differs very much from the inside. Our shores run from Tignish down to that bay and possibly some may be prejudiced against us and want to close up. I mean those that fish on the outside, and they think the vicinities spread around the bay should be destroyed and their interests served. But we want to be considered. We don't want too much but just fair play.

Q. Is there anything else you want to say?—A. Nothing further than that. Last year we did fairly well. This year of course the season is late. What you take off from the beginning from us and from our season in the bay will not hurt us. It would, I might say, on the outside. You understand in the case of the fishermen on the outside coast it would hurt them because they get good fishing at that time. On what we call the north shore, the fishermen get good fishing. At those dates I have suggested you might perhaps interfere with them. They get good fishing when we cannot get anything as later we get a few. I might suggest this in regard to granting licenses. I think that is a delicate matter to deal with just now. To my way of thinking the canners are doing fairly well. They have not organized very rapidly or very strongly yet, and it is all right to leave the matter open to grant fishermen who combine—15 or 18 who are ready to run a good decent lobster factory—a license.

Q. Then you approve of the policy of granting co-operative licenses?—A. I would approve of this being left open. I think there is nothing like having lobster factories inspected and the best product that can possibly be put on the market put there. I don't think it is right to have men canning lobsters who are not capable or do not understand it, and therefore I think that the packers who have been packing and have not as yet seriously combined against the fishermen, the department should hold a check against them for fear they would.

Q. That check could always be held?—A. Later on if the packers do combine against the fishermen it would be open to the department to grant fishermen licenses. By doing too much of it there might be more factories than what would be necessary or would be required. At the present time everything is running very harmoniously, only there seems to be a little difficulty in arranging the fishing season to suit the different localities in our province. The fishing seems to differ so much.

Q. Do you not think that having different seasons and different size limits in sections that are close together is sure to lead to abuse?—A. Well, I don't know. Do you mean a loss?

Q. I mean an abuse of the fishery. Do you think that as far as possible we should have one size limit and one season for fishing?—A. No, I do not. I disapprove of having one season around a province because it is impossible.

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Q. As far as possible; it is not possible everywhere. It seems difficult to multiply the seasons and the limits?—A. Well, it may, but I will tell you: I think there are two or three suggestions I might make. I think a boat should be limited to a certain number of traps, and I think there should be a license to the lobster fishermen the same as in other instances. Every licensed man that takes out a license to fish on the outside ground should fish there, and a man that takes out a license to fish in the bay should fish there. A man should only fish where his license indicates. For instance, I would suggest that a single boat be limited to 100 traps and a double boat to not more than 300 or 350 traps. Of course that is only a suggestion. However a man that takes a license to fish outside should go outside and fish.

Q. He should not be allowed to fish inside?—A. His license would grant him the right to fish outside. I think we require a different season in the bay altogether. I would propose you should take off part of the season as I have suggested if you are going to take off any.

Q. Out of these suggestions something may come?—A. Yes. As far as I can say in regard to our packers they have treated us very fair.

Witness discharged.

EDWARD CROPLEY, called and sworn:—

By the Commissioner:

Q. Are you a fisherman or canner?—A. Fisherman and canner.

Q. You have heard the evidence given by the other gentlemen; do you differ with it in any respect or is there anything special you have to say?—A. No, not very much.

Q. What section of the coast do you come from?—A. Between West Point and Cape Egmont.

Q. I understand you wish to say something about the season?—A. Yes, about the season. I would say commence 15th July up to the last of September.

Q. All the evidence we have had on that subject has been from fishermen from Egmont Bay. Is there any one here from the coast farther east?—A. Yes, there are some.

Q. How would that season suit them?—A. I think it would suit them all right. I think some would be in favour of it.

Q. What is your reason for suggesting that change in the season?—A. We can commence on the 26th May, but we do not get our traps out, we don't begin fishing until the 1st of June, and then there are just two weeks in June that we do anything. Then it is a dead letter until the 15th of July; the fishing does not pay expenses.

Q. Do the fish move during the interval, or what is the trouble?—A. The fish are shelling.

Q. Will they not trap when they are shelling?—A. No. They generally shell about the 15th of July. Then they get hungry for bait and move into deep water and we have to shift our traps into deep water after them. I commence again on the 15th of July to fish.

Q. Is that the only matter you desire to speak upon or have you anything further to say beyond the evidence that has been given?—A. Yes.

Q. Do you think the present system of licensing canneries is fair or would you suggest any change in connection with it?—A. I think it is fair.

Q. Do you think there are canneries enough under license?—A. I think there are canneries enough.

Q. Do you think the price received from the canners is a fair one?—A. Yes.

Q. You are satisfied with it?—A. Yes.

Q. Well unless there is anything special you desire to add?—A. We get the best fishing outside that there is in the season.

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Q. And are the lobsters improving in quality now from this time out?—A. Yes, they are large fish. We had 900 last Friday and made three cases.

Q. As to size, what would those fish average?—A. They would average 11 and some up to 12 inches. I have known them 13 and 14 inches, some very large fish.

Witness discharged.

PETER MCISAAC, fisherman, Brae Shore, called and sworn:—

By the Commissioner:

Q. Are you speaking as a fisherman or canner?—A. I am a canner and fisherman.

Q. What number of boats do you fish?—A. Three.

Q. Do you own the gear and outfit?—A. Yes, sir.

Q. What particular part of the inquiry do you wish to express an opinion about, are you one of those that favour fishing in the fall?—A. Yes, sir.

Q. For what reason?—A. I think our season is wrong. I think we are doing an injustice to the industry. We are taking spawn lobsters and taking lobsters when they are not in a fit condition to handle and we cannot control the fishery. They turn to work and wipe off these spawn lobsters in June.

Q. Do you think that practice is general?—A. Yes. I am sure that is done at my own place and we get the majority of our spawn lobsters in June.

Q. What do you think about the trap; do you think it would be wise to insist upon larger space between the slats?—A. I don't think so. The reason why I built my traps so narrow is this: The lobster will shove its claw between the trap and hang there, and the fisherman will go to work and take him out and break off the claw and leave him there. Of course the lobster is not much good to him without a claw.

Q. Do you not think we would save a lot of under-sized lobsters by increasing the space between the slats?—A. I think not. I think from an inch to an inch and a quarter would be all right. We would save the lobster's claw and anything that would go through that space would be let go. The closer the slats are, the more lobsters they will save in the traps, but I think the lobsters will go through an inch or an inch and a quarter.

Q. What size lobster will go through an inch opening?—A. That is a pretty hard thing to decide. It will be a pretty small lobster that will go through an inch.

Q. Do you agree with most of the evidence that has already been given?—A. I agree with the most of it.

Q. Has any evidence been given that you take objection to?—A. None at all. I would like to have the season changed from the 15th, and if they give us a shorter season I would be satisfied sooner than to have it—

Q. You would rather begin on the 15th of July?—A. Supposing they give us that I would sooner have a shorter season than have it the way it is now, because it is not a paying business at present. We have got to feed the crowd, we have to maintain them and there is nothing in it.

Q. Are there any fishermen from the neighbourhood of Cape Traverse?—A. I think there are people here. There are people that have made report that they would like to have the season from the Cape taken off at the last ten days. The Cape will run this way. There is a bight from West Cape right out to West Point. We fish right in here (illustrating). In this bight we don't catch fish at the last of the season. They may get out here from Cape Egmont where the line from New Brunswick and Prince Edward Island is very narrow. They may get fishing earlier than us where the line is narrow between New Brunswick and Prince Edward Island, but you go down and take a great circle in 15 or 16 miles out of Cape Egmont and in this bight we get the season where it is very late. Last year my biggest catch was on the 20th July. This year we have no catch yet.

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Q. How is your catch?—A. It is very slack.

Q. Is it improving now?—A. It is a little, we cannot say we are improving. For the last fortnight the fish are about the same, 400 or 500.

Q. The principal thing you want placed on record is your suggestion as to the length of the season?—A. I don't calculate to run my factory before the 1st of July next year whether the season is changed or not. I went down to the shore this year \$300 in debt and I don't expect to make it. The taking of spawn lobsters we cannot control, because the fishermen will give them three or four slaps and knock the spawn off.

Q. Some people say it is hard to get the spawn off?—A. It is not hard at all. I fish myself and control a factory. Still they take them in. I told Mr. Matheson to overhaul the cooler the other day but he never saw one spawn lobster there. We have not seen one in 15 or 16 days. We are the people that are destroying the lobster industry ourselves. We are packing soft shelled fish that are not in condition for human use and have hurt the sale.

Q. Do not those lobsters go to pieces in the boiler?—A. Unless you boil them very carefully. You must give them a certain boiling. It is suggested that an inspector should inspect the canneries. I don't think it is necessary. The man that does put up bad goods cannot sell them. The canner should be the inspector himself.

Q. Do the buyers send anybody around to inspect the canned product here?—A. Some firms do. Mr. Tidmarsh does. Unfortunately I am not selling to him this year. With regard to inspecting canneries it is not very much a man that does not put up good goods can sell. The fish are inspected after they leave us.

Witness discharged.

FRANK MACDONALD, fisherman, Richmond Bay, called and sworn:—

By the Commissioner:

Q. What is the special matter you wish to lay before the Commission?—A. On general questions such as the season.

Q. What do you think about the season?—A. There are a good many advocate a change in the season in other parts that would not suit our locality.

Q. In Richmond Bay?—A. Yes.

Q. Has there been any question about changing the season there?—A. There has been some talk about taking the last part of the summer. I think, as far as my knowledge goes, the season as it is suits us very well.

Q. That is beginning 26th April and closing on the 10th July?—A. Yes.

Q. You fish entirely in the bay?—A. Yes, sir.

Q. What is your opinion about the bay fishery as compared with the outside fishery, is it any more destructive in one place than another?—A. No, I don't think so.

Q. Do you get a large proportion of berried lobsters?—A. Not very many. This year I don't suppose I got over half a dozen berried lobsters in the bay.

Q. And what proportion would be undersized lobsters?—A. This year they were very small stock.

Q. How many would be below the 8-inch limit?—A. Probably ten per cent.

Q. Were the lobsters measured?—A. I have seen them measured on the boat.

Q. Have you any idea how the measurement turned out?—A. I did not inquire.

Q. What is the best period of the fishing season where you fish?—A. The last part of the season. About the last part of June and the first part of July we find about the best.

Q. When do you put out your traps; as soon as the season opens?—A. We run our gear probably about a fortnight before we land any fish.

Q. It runs into May then?—A. Yes, into May.

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Q. Can you tell when the lobsters are moving in, does there seem to be a migration inwards?—A. I think the lobsters we fish are more the product of the bay itself.

Q. Do you think they winter in the bay?—A. I think so.

Q. Have you ever known of their being caught through the ice?—A. I have heard of cases of taking them up occasionally in seines or mud diggers.

Q. And finding lobsters?—A. Yes.

Q. Well, unless there is anything special you wish to say I have no more questions to ask?—A. Did I understand it right that the outside fishermen have a tendency to advocate a shortening of the season at the end of it?

Q. Some of the outside fishermen have said they would not object to a shortening of the season in exchange for doing away with the size limit altogether. A general expression of opinion is that the size limit, if strictly enforced, would shut up the canneries. It is a difficult regulation to enforce and it has been thought—I do not say the suggestion will be carried out—that the best thing to do would be to abolish the size limit and in return for that shorten the season somewhat?—A. If they shorten the season at Richmond Bay, the last end of the season, it will cut us off entirely. That is the best part of our season, because the lobsters in the bay shell late and after they shell we probably only get two weeks of fishing when they come to the traps again.

Q. What would you think of regulating the space between the slats in the traps?—A. Well, it might be a benefit.

Q. Are the fishermen not beginning to put the slats too close together?—A. I do not think a fisherman who has had any experience will put the laths too close together. My experience is they do not fish as well if they are too close. They slime over quickly and the fish do not see the bait as well, and it is harder to fish them.

Q. What would you fix the limit of space at, say in the three lower slats?—A. I would say not less than an inch anyway. I put mine at about an inch or slightly over that. That is from my own experience, I find it better.

Q. Do you not think by having a space of at least an inch and a quarter a larger proportion of the undersized lobsters would escape?—A. Well, yes.

Q. It must be wrong, must it not, to kill off the small lobsters?—A. It is, but the trap at the end, as a general thing, has heads that are knit with quite a large mesh and a large number of the small lobsters work through anyway.

Q. Fishing in shoal water it is sure to hold, there is not much attempt to get through?—A. That is true.

Q. Fishing in 10 or 12 fathoms of water I can understand?—A. Yes.

Q. Is there anything else you would like to say?—A. I would advocate protecting the spawn lobsters and imposing a high fine on people for taking them.

Q. Would you put the responsibility for taking them on the fishermen or on the packer?—A. I would put it on both parties. I suppose there is an odd one may escape notice, but where the fishermen deliberately brings spawn lobsters in he is acting against his own interest and the interest of everybody else connected with the industry.

Q. What do you think is the best way to reach the fisherman and persuade, or compel him to observe the regulations, especially with regard to the taking of spawn lobsters?—A. The only way to get at a man who takes a spawn lobster is by force. The man that does not know enough to throw back a spawn lobster into the water, it is no use talking to him.

Q. Some people tell us there is an increasing disposition on the part of the fishermen to be careful about the berried lobsters; do you think they are beginning to see the necessity for their preservation?—A. I think so, anybody that looks into the matter in a proper light.

Q. They have not done so in the past but we are told they are beginning to appreciate the fact that they must save the berried lobsters?—A. They are.

Q. It has been proposed to send somebody around who would explain the necessity of interesting the fishermen if they could be got together at different points. A. I think the majority of the fishermen understand the necessity of throwing back the berried lobsters all right but they deliberately go against that understanding.

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Q. Up to the present year the canner does not seem to have had any objection to receiving them?—A. Not at all, they never object because the spawn lobster is a good lobster for canning.

Q. Was the regulation against accepting berried lobsters put in force this year pretty generally? In some places we have heard that it was and at other places that it was not?—A. In Richmond Bay the fact is now that they are getting pretty careful about them.

Q. How many canneries are here in Richmond Bay?—A. I think about 10 or 12.

Q. What would be their average pack?—A. I could not tell you that.

Q. Are most of the canneries of any considerable size?—A. Yes, the majority of them are fairly large canneries fitted up in good shape.

Q. Would the pack run on the average about 500 cases?—A. I should think it would be over that.

Witness discharged.

P. C. GALLANT, fisherman and canner, Summerside, called and sworn:—

By the Commissioner:

Q. What is your occupation?—A. I am a fisherman and canner as well.

Q. Where is your cannery situated?—A. Right in Summerside.

Q. Where do you get your fish?—A. I get my fish right outside of the harbour. Before it was in mid-straits. Now in the spring I fish off Sea Cow Head.

Q. Do you bring your lobsters up here and can them? A. Yes, sir.

Q. How long have you been canning here?—A. I have been canning here for the last four years.

Q. And are you the only canner here?—A. Yes, sir.

Q. You would be in a position to tell us something about the season; what is your opinion about the present season, how does it suit you?—A. It suits me well enough, but if there was to be any change made in the season I would suggest to have it later on, that is for the protection of the industry.

Q. That is what we are interested in primarily, although, of course, we see the necessity for protecting the fishermen too; the fishermen must get enough out of it for a living. Would a season from the 15th of July to the end of September suit you?—A. It would suit me all right.

Q. The majority of the people in Egmont bay seem to approve of that season?—A. Yes, it would give a chance to the lobsters to cast their shell. If they would fall in line with that I would be perfectly willing. There is no doubt there is a tremendous lot of lobsters with the berries on taken previous to the 15th of July.

Q. You see the necessity for preserving those lobsters?—A. Yes.

Q. Have you had any conversation with the fishermen below you about it?—A. Yes.

Q. How do you think the majority of fishermen to the eastward of you would regard that proposition?—A. I am not so sure about the fishermen at Cape Traverse, but down to there I am pretty sure the fishermen would agree to a season on the 15th of July. You see the lobsters then will have all cast their shell and will be getting better every day. Take from the 1st of August down, the fish are as good as in the spring, and it is very seldom you will come across a lobster that has eggs on after that date. This spring they were very numerous, much more so than I have ever seen them.

Q. What do you think about the question of the traps; do you think we will gain anything by insisting upon having the openings in the traps farther apart?—A. Yes, I always maintained that if they built their traps with not less than an inch of space between each of the slats they would get just as many fish. I have only canned here

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for four years, but I had my factory at Sea Cow Head previous to that. Now I have a gasoline engine, that is why I moved my plant. When I built my traps I put the space an inch apart. I built a four and a half to five inch hoop and I got large fish. People wonder where I get the large fish. Well, other people don't want them, but I do.

Q. Do you do any business in selling live lobsters?—A. Yes, selling them cooked. My business is chiefly the canning of lobsters but if anybody come to the factory for a feed I never turn them down. I sell during the season probably what would make five cases of lobsters.

Q. And that supplies the local demand?—A. There is another fellow that fishes gear. He does not can any, but sells them in the shell. There is a demand for an odd one comes to me and of course I never turn them down.

Q. What would you say about the effect of hatcheries?—A. I believe in hatcheries but I don't know whether it is any good to spend money on them and then allow the fishermen to catch the small lobsters. If the fishermen build their traps with only half an inch space between the slats they will catch all the small fish, but if the slats are an inch apart those lobsters have got a chance to work their way out. I believe in hatcheries all right but not in spending money on them and then allowing the fishermen to take lobsters that are only four inches in size. I would like to fall in line with the rest in regard to the season. If there is going to be any change in the season I would like to have it fixed so that it will suit the fishermen as well as the packer, because I have had experience in fishing, I have followed fishing.

Q. Do you think the fish winter in the Straits or go into deeper water?—A. I know when we set traps in the spring here we catch lobsters, I don't know about the winters.

Q. What is the earliest time you remember putting your traps out?—A. Previous to the season we have now, we used to set out traps as soon as the ice was gone. We would not get as good fishing as we would about the first of June when there would be fairly good fishing but we would always get some lobsters when we put the traps out. I depend upon lobsters for a living and I would like to see the best means of improvement used in order to keep the fishery regulated in the best way.

Q. What number of cases do you pack?—A. I put up somewhere about 200 cases last year, but I don't know that I will put up that number this year. This season will be a short one.

Q. Has the market improved since the spring, has there been any advance in the price of lobsters?—A. Yes.

Q. Is the price going up?—A. Yes. Speaking about a change of season I was advocating one from the 10th of July down and it was thought it would be too late for our markets.

Q. Was that season suggested before?—A. I made a suggestion but could not get them to fall in line. Mr. Matheson, Charlottetown, thought it would be well, but my friends thought it was too late for the market. I claimed if we put up the right goods we can sell them at any time.

Witness discharged.

E. H. WRIGHT, packer, Port Hill, called and sworn:—

By the Commissioner:

Q. I do not wish to take up your time unnecessarily? Is there any special subject you wish to bring forward?—A. What I desire to say in regard to the season is this: I pack in Richmond bay——

Q. What part of the bay?—A. Near Port Hill, on the Grand river side. I just wish to say that the season as it is suits the bay, I think, all right.

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Q. How long have you been canning in the bay?—A. I have been there two years.

Q. Was lobster canning established in the bay about the same time as it was on the other side of the coast, or was it a later idea to can in the bay?—A. I could hardly answer that question, but they have been canning there a number of years.

Q. Has the number of canneries there increased at all in recent years?—A. Very much so. Last year there were several factories.

Q. Did they move their factories from elsewhere?—A. Yes, some of them were——

Q. From the outside?—A. There were one or two factories on the south side.

Q. Those were factories that were located on the south side of the Island and established at Richmond bay?—A. Yes, and crowded us out there very much. And then there were several new factories started.

Q. Now, what is your own opinion with regard to fishing in the bay? We have heard a good deal of evidence on both sides concerning that matter; do you think the fishing in the bay is any more destructive than that outside?—A. I must say that in conversation with the packers on the south side, they all catch about the same kind of fish. Sometimes there, the schools are larger than others.

Q. The lobsters come in different runs sometimes?—A. Yes, sir, it seems that way.

Q. On the whole, within your experience, is the lobster fishery decreasing?—A. Well this year it is a very poor year.

Q. But still you have had poor years before, even in former times you had poor years as well as good ones?—A. Yes, that is right. As far as fishing in the bay is concerned, in the shallow parts, we do but very little.

Q. Would that be due to the fact that the fish had not gone into the bay?—A. It does look like that. This spring the ice was very heavy and the lobsters came in very late.

Q. I do not think there is any proposition to alter the date very seriously on the north shore of the Island?—A. On the north side their fishing is about over on the 1st of July.

Q. The best of their fishing?—A. The best of their fishing is over.

Q. It would not be a serious thing to them to lose a few days?—A. If they wish to fish they can, but they generally bring in their gear.

Q. There are very few that fish up to the close of the season?—A. Very few of them.

Q. But in the bay they do; they hang out because that is the very best time for them?—A. That is just about the time we get the fish.

Witness discharged.

LEMUEL SUDSBURY, fisherman, Cape Traverse, called and sworn:—

The Witness.—I would like to see the spawn lobsters protected.

By the Commissioner:

Q. Are you a fisherman or canner?—A. A fisherman. It was 30 years ago this spring when I started fishing.

Q. In your estimation what is the condition of the fishery to-day compared to what it was 30 years ago?—A. There is considerable.

Q. There is a great falling off?—A. To my mind there is. Thirty years ago you could catch 105,000 lobsters, to-day they are not going to make 20,000 at Cape Traverse.

Q. How is it as to size?—A. The size in Cape Traverse this year is fine.

Q. How would the size compare with the years when you first began to fish?—A. There is not a great deal of difference.

Q. Then it is the quantity that has fallen off rather than the size?—A. Yes, the quantity. In Cape Traverse they have some remarkably fine lobsters.

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Q. How is the fishing there this season?—A. I have only been fishing a couple of weeks this summer.

Q. Was that because the fishing was too poor?—A. Yes.

Q. How is it now?—A. Not too bad.

Q. What is the best time for the fishing up there?—A. After the lobsters have shelled.

Q. As a Cape Traverse man how would you approve of a season from the 15th of July to the end of September?—A. As a fisherman I would not say anything about that. There is, however, something I would like to say on that point. When fishing down at Cape Traverse ten to twelve years ago, I used to catch 42,000 lobsters in the early spring fishing. They thought they would like a change down there and they would get the after-fishing. They had a meeting in Ludlow Hall, which was well represented and they got it. With the present system they are not satisfied now, and in my opinion if you were to ask them what they would like they would want to go back to the early season again.

Q. The same as on the north side?—A. Yes, sir. I have talked to them considerably about it. What I would like to say as a fisherman is, that the fishermen should be on the same basis as the packer and have an equal chance with him. I would like to see them get a license to can if they wanted to. The reason I have for holding that view is that I caught 26,550 lobsters last summer but I only got \$1 a hundred for them, amounting to \$265 or thereabouts.

Q. How many cases would that represent?—A. I don't know. I am going to say something about that. The next man got 16,000 and some hundred odd lobsters—I think 300 and something. He packed 69 cases and sold them and he made \$700 and some odd clear whereas I only received \$265.

Q. There appears to be something wrong there?—A. Yes; I buy the packers' gear every year from him and give it back to him as a present. That is what it amounts to.

Q. You are not fishing with your own gear?—A. No. As regards spawn lobsters they are all taken ashore.

Q. Was there any difference made this year in that regard?—A. No, there was not. The berries were all washed off.

Q. Is it usual to do that?—A. Yes, sir. You take hold of the claws of the lobster like that (illustrating by a gesture) and three or four slaps would knock the berries off.

Q. At any time?—A. I don't know that they do it at the beginning of the spring. Anyhow the berried lobsters are all brought ashore.

Q. Should there not be a change in the season so as to avoid taking those lobsters until the spawn season is over?—A. Quite true. I don't know that I would object very much to that, because after the spawning and shelling season you get great quantities of fish and they are as full as they can be. The lobsters all this week are just as full as at any other time this summer.

Q. It is undoubtedly the case that by changing the season you would save the berried lobsters?—A. I don't see any berried lobsters after they have shelled.

Q. You may find an odd one, but no great run?—A. As to what has been spoken about here in regard to limiting fishing to a certain distance from the shore. The inshore fishing at Traverse this year is the best fishing.

Q. In what depth of water?—A. Four or five or six fathoms of water, very close in.

Q. That is comparatively deep water, but the reason it has been suggested making a limit is, because in one fathom of water they are getting too many small lobsters?—A. The lobsters they get are small. I have fished on the north side for 15 years.

Q. They are getting smaller there?—A. They are getting smaller and they are not protected. Here the packer would have nothing to do with such small lobsters, he won't take them. Up there they take any lobster. What I want is for the fishermen to be placed on some basis that they can get a license to pack lobsters when they want to.

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Q. Is it not possible for a certain number of you fishermen to co-operate and run a factory?—A. Where I fish I don't think I could get enough fishermen. I consider our government is not doing right in this matter. There are seven factories at Cape Traverse and a Conservative can go up and get a license. They are all Conservatives that have got them. Being a Liberal I wanted a license and could not get it. I repeat that I would like to see the spawn lobsters protected.

Q. How far off does the boat from the hatchery come to collect the spawn?—A. We sent them on the train every morning. They did not do that this year. There were restrictions last year. There was \$100 fine for spawn lobsters if you were found in possession of them; but they did not find any.

Witness discharged.

Commission adjourned.

CHARLOTTETOWN, August 3, 1909.

JAMES TAYLOR, fisherman, Nine Mile Creek, St. Peter's Island, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing?—A. About twenty years I guess.

Q. Have you always fished for lobsters or do you do any other fishing?—A. We used long ago to fish codfish, but they left us and we don't do any of that fishing now. We fish a lot of herring in the spring and get all our own bait pretty much now.

Q. Do you fish off shore?—A. Yes, ten miles off St. Peter's Island.

Q. In what depth of water?—A. Eight and nine fathoms.

Q. Do you fish your own boat and gear?—A. Yes, sir.

Q. When you begin fishing you begin off shore?—A. Yes, sir.

Q. Do you always fish in the same depth of water, do you continue out there or do you move in?—A. Ever since I commenced to fish lobsters I have fished off that 8 fathom bank. You see the bottom is rock bottom.

Q. Are there a large number of fishermen engaged in lobster fishing?—A. Yes, quite a lot. We used to can our own lobsters until this year and then we sold to our nephews, Taylor Bros. They are not in to-day, they are busy at the hay.

Q. You say you fish throughout the season in the same depth of water?—A. Yes, sir.

Q. How is the annual catch now compared with what it was when you began to fish?—A. It is not so good, or near so good, but one would have to look at it this way: There is so much more gear than what there was then.

Q. You think the quantity of gear has greatly increased?—A. Yes, terribly.

Q. Has the number of boats increased?—A. The number of boats and traps.

Q. Has the number of canneries increased as well?—A. No, not at our place.

Q. Do I understand each packer is fishing a larger amount of gear, directly or indirectly?—A. Oh, yes.

Q. What style of traps do you use?—A. They call it the patent trap, the four-headed one.

Q. What is the advantage of the patent trap over the old-fashioned one?—A. It is better for Monday's fishing.

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Q. That is to say it lets fewer fish escape?—A. Yes.

Q. Do you yourself fish an increased amount of gear compared with what you did when you began?—A. Yes.

Q. How many traps do you fish to a boat?—A. About 300 off and on.

Q. That is for a two handed boat?—A. Two handed boat.

Q. Beyond what you have stated, what is the advantage of the present patent trap over the trap formerly fished, do you think it holds more fish?—A. Well, yes, it is just for long fishing. If you get stormy weather and cannot get to your gear one day it appears to be better, there is more fish in the trap.

Q. Do you leave less space between the slats of your traps than you used to?—A. No, just about the same.

Q. What is the distance?—A. About an inch and a quarter. I should say that is about what it is.

Q. An inch and a quarter opening ought to allow a good many small fish to escape?—A. Yes.

Q. What is your experience with regard to the size of the fish taken; what proportion of the fish do you think would be under the legal limit of 8 inches?—A. This last two years there have been a good deal.

Q. A good many small fish?—A. A good many small fish, there would be one-third.

Q. That is to say, one-third of the total catch would be below 8 inches?—A. Yes.

Q. As to the berried lobsters, what percentage of female lobsters would you find?—A. Well some years there are more than others. Some years there would be one-third.

Q. I suppose at certain times in the season there are more than at others?—A. I think there would be one-third this year.

Q. That is a very large proportion. You see one-half the lobsters must be male, and there are only a certain number of female lobsters that bear eggs extruded?—A. Through last year there were very few of them, whatever was the cause of it. This year there were more, considerably more.

Q. Do you think the proportion would be as large as one-third?—A. There might not be. Perhaps we had better not put it at that.

Q. At all events you find a good many?—A. Yes, quite a number.

Q. What has been the practice with regard to these lobsters up to the present, have they all been taken to the factory?—A. All taken to the factory since the hatchery commenced.

Q. You are fishing in the neighbourhood of the hatchery?—A. Yes.

Q. They take your eggs?—A. Yes.

Q. Prior to the establishment of the hatchery what was done with the berried lobsters?—A. When we began? Some years ago when first I commenced to fish they compelled me to chuck them away.

Q. Was that order carried out?—A. I guess it was not very well. The eggs were taken off.

Q. The practice of stripping the eggs off the female lobsters was in force then as long ago as that?—A. Yes.

A. And I suppose it has continued ever since more or less?—A. Yes.

Q. Have the packers made any objection to receiving undersized and berried lobsters?—A. Yes. I think Taylor Bros. did this year any way.

Q. That is berried lobsters?—A. Small lobsters, you know. The berried lobsters were taken for the hatchery.

Q. What would you call small lobsters?—A. A lobster 5 and 6 inches.

Q. That would be small?—A. Very small, that is for us out there.

Q. On what arrangement do the fishermen generally fish on your part of the coast; those that fish with gear and boats belonging to the factory, how are they paid?—A. They are paid by the hundred, I think; \$1 this year and everything found.

Q. Are they boarded too at that rate?—A. I could not tell you.

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Q. And those who supply their own gear, how are they paid?—A. \$2.50 this year.

Q. What proportion of fishermen in your neighbourhood use their own gear, about one-half?—A. Just about half.

Q. How is the price received from the canner fixed, who establishes it?—A. That is arranged before we start.

Q. Is the price a satisfactory one?—A. Well, it is this year.

Q. It must have been more satisfactory last year, was it not higher then?—A. Yes, but canned goods were higher in price.

Q. Then you think the drop in the price paid to the fishermen this year was only in proportion to the drop in the market?—A. That is the way they put it.

Q. You think the fishermen are receiving fair return for lobsters?—A. Well, I think so.

Q. Is there any combination do you think on the part of the canners to establish the price, or is there competition among them?—A. I don't think so, not out our way. We did not can this year you know and we did not inquire into anything.

Q. What is the open season of fishing with you?—A. April 26th to July 10th.

Q. Do you fish the entire season?—A. No, sir.

Q. What part of the season do you omit?—A. We stopped this year on the 23rd June.

Q. Why did you stop as early as that?—A. The supply of lobsters went down.

Q. Is that your experience every year, is there a slackening off towards the end of the season?—A. Oh, certainly.

Q. Would it affect you, or the fishermen fishing in your neighbourhood, very seriously if the season were somewhat shortened?—A. No, that is what I was going to try to explain to you; I think a man should be allowed to put his gear out as soon as he could and not take any lobsters after the last of June.

Q. Why was the regulation fixing an opening date ever established?—A. I don't know. In some places we know they could not get out. In the case of outside people, like here at St. Peter's Island, the ice would break up quicker and they would get their boats out and get ahead of the other people.

Q. What serious objection was there to that?—A. They made a kick about it.

Q. You are one of those that could get out early?—A. I could get out early. To be sure there is this in it, you could get your gear out more early.

Q. If one man is more active in getting out his gear than another do you think that should debar him from being allowed to fish?—A. I don't think so.

Q. I understand you to say prior to the establishment of a lobster hatchery here, very few berried lobsters were saved?—A. Very few of them were saved.

Q. Except in that time long ago the regulations have never been very strictly enforced?—A. No.

Q. Did you ever hear of anybody being fined for any breach of the lobster fishery law?—A. I have not.

Q. What do you think is the spawning season of the lobster?—A. The latter part of July.

Q. Do you think they have not commenced to spawn before then?—A. Well, there will be some.

Q. What time do you get most of the eggs for the hatchery?—A. I guess in May. You see there are more lobsters caught in May.

Q. What is the best period of your fishing?—A. May and along the first of June to the middle of June.

Q. Is it your opinion that the lobsters come into shoal water to spawn?—A. Yes, sir.

Q. And do you think more of them are caught as the season advances in shoal water than off shore?—A. No, sir. When it comes to that time of the year the lobsters don't seem to trap. The lobster seems to be there but he won't trap.

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Q. Is that before he casts his shell?—A. They are commencing to spawn. They are getting a little sick then I suppose and getting ready to shell.

Q. Do you think there is any time in the season when the lobster is not fit for food?—A. I think not, only when they are soft, after they have shelled, and just before it. Just about the time they are shelling or commencing to shell I do not think they would be right.

Q. Are the lobsters canned during that season or do they generally throw those lobsters away?—A. Well, not now.

Q. What is the smallest size at which you have ever seen a female lobster with eggs outside?—A. I should say about 8 inches—8 or 9 inches.

Q. And the majority of them are about what size?—A. Nine and 10 inches.

Q. The berried lobsters are generally good full lobsters, are they not?—A. Yes.

Q. Could you give me the average size of the lobsters you catch; do you get many large ones now?—A. Oh, yes; quite a lot.

Q. What would you call the largest?—A. You catch some weighing 10 pounds; not many, you know.

Q. Would that go through an ordinary hoop?—A. Oh, yes; it is wonderful where they will go.

Q. What would be your suggestion; do you recognize the fact that the lobster fishery is failing?—A. Oh, well, it may be a little; but there is such a quantity of gear, I don't see that it can fall terribly much.

Q. Have you seen much change during the last five years?—A. No; none at all.

Q. Not as much as previous to that?—A. No.

Q. When did the greater part of the decrease in the supply of lobsters take place, do you think?—A. I guess the biggest drop would be about twenty years ago.

Q. What would you attribute it to then, overfishing as long ago as that?—A. Well, then they used to fish till the 5th August.

Q. The 20th August, I think?—A. Yes, I believe they did. You see they would put out then whatever they could, and fished up to that time.

Q. You think the greater part of the harm was done then?—A. Yes, I think so.

Q. Do you think the fishermen are becoming more careful as to the regulations?—A. I think so. I think they see now that they have to try and protect the fish themselves as well as anybody else.

Q. What do you think is the best way to reach the fishermen in order to make them generally understand that the regulations are for their own good and should be observed?—A. Well, the only thing is to put the law in force, and anybody that breaks it make them suffer for it.

Q. Do you think that the regulations as they stand to-day could be put into force; is it an easy matter to keep the run at that size limit?—A. I think so.

Q. The general experience is, and most of the evidence we have goes to show, that it would be very difficult to enforce that regulation; it would need a man at every cannery at least?—A. Of course, there would be some difficulty.

Q. But the regulation regarding the preservation of the berried lobster should be rigidly enforced, should it not, at places where there is no hatchery?—A. Yes, sir.

Q. Are you in favour of establishing hatcheries?—A. I don't know that they are doing much good.

Q. The hatchery here has not been long enough in operation to let you judge of its effects?—A. No.

Q. Have you heard that the fishermen see schools of small lobsters?—A. Yes; there have been quite a lot of small lobsters seen, you know.

Q. It has been suggested by some of those who gave evidence last winter before the Parliamentary Committee that it would be a good idea to license the boats for

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the fishermen; that if the fishermen were so licensed they would feel themselves in a sense to be fishery officers, and would not only observe the law themselves, but see that others did so?—A. So they would.

Q. Do you think the license system would have any such effect in the case of fishermen?—A. We are willing about St. Peter's island to stop after June—just adjourn and not take any after that.

Q. A number of propositions have been made by those interested in the industry, and one is to stop fishing altogether for a term of years; what do you think of that?—A. That would put the fish out of the market altogether. By stopping you would save a terrible lot of berried lobsters, and you could put the spawn in a place where it would be safe. I think that the spawn taken from the hatchery should be taken and put at low tide on a rocky bottom, not spilled out in the straits, where there are large quantities of fish to destroy it.

Q. You mean that is what should be done with the young fish?—A. Yes.

Q. You would not advocate putting them out in deep water?—A. No, because fish will devour them up before they get to the bottom, to their hiding places. They should be put on a rock bottom.

Q. Is it on the rocky bottom the lobster generally goes to spawn?—A. Yes.

Q. Another change suggested is that we should do away with the size limit, strictly enforce the law about berried lobsters and shorten the season to June. Would that affect the fishermen in your neighbourhood?—A. That would be all right; we would all agree to that.

Q. In addition to that, it is proposed to insist upon a regular distance between the slats, especially the three lower ones, of nothing less than an inch and a quarter?—A. Pretty nearly all the boats at Rice Creek and Nine Mile Point, along there, fish when we do, to the last of June.

Q. Are they nearly all bona fide fishermen?—A. There are farmers among them.

Q. Do you think the present system of limiting the number of canneries is a right one?—A. I think that would be right for a spell.

Q. In the case of fishermen, to the number of between 15 and 30, they will issue a license to can?—A. I should say that ought to be all right.

Q. Do you think there is any reason why a man who can show his ability to can, who is competent and has the means to do it, should be refused a license?—A. I don't think so.

Q. What restriction would you impose?—A. I do not know, I cannot say about that.

Q. Do you think it is wise to allow the holder of a canning license to fish all the gear he likes, or would you limit the amount of gear fished by any canner? we limit the number of canneries but we do not limit the amount of gear; what would be your own view on that matter?—A. Well I suppose a man ought to be allowed to fish all the gear he could in a day. Generally they never put out any more than they can haul every day.

Q. We hear of people fishing 400 and 450 traps. A. They won't have very far to go to do that. You see we have got to go ten miles and 300 traps is all two men can handle in a boat.

Q. What do you think about limiting the amount of gear; you said a while ago you thought there was too much gear fished?—A. That is what is the trouble I think. I don't see that the lobsters are very much scarcer but it is owing to the quantity of gear fished.

Q. The run of lobsters would not be so large would it?—A. No, not so large.

Q. Is there any place in your neighbourhood having facilities for carrying on the live lobster trade?—A. No, sir.

Q. Which do you think is the most profitable one for the fisherman, the canning

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or the live lobster trade?—A. I have had no experience with the live lobster trade, I cannot say anything about that.

Q. Is there any chance in your neighbourhood do you think for the establishment of pounds? A great many people prefer these to hatcheries for hatching out lobsters. We want a place with a free flow of the tide, a narrow outlet which can be barred and a considerable area inside with fairly deep water where the lobsters could be penned in. Perhaps the lobsters could be bought from the fishermen, placed in these pounds and held there. A. I suppose you would not want a rough place for that?

Q. You do not want a rough place, it must be sheltered. A. Our place will not do for that. The south side of the Island is all dry when the tide falls and on the north side when it comes to a breeze of wind it is pretty rough.

Q. It has been alleged that in some instances, fishermen have suffered injury by the failure of those holding canning licenses to operate their factories although a sufficient supply of lobsters was available; has that occurred in your neighbourhood?—A. Yes.

Q. Have you any knowledge of fishermen having had their catch of lobsters refused by the canner?—A. No.

Q. Is there anything else you would like to state of your own account?—A. No, except about the season, it would be a big help I think.

Q. Do you think if we insisted upon a space between the slats of the traps of an inch and a quarter at least, it would be satisfactory?—A. An inch and a quarter?—A. big lobster could go out of that.

Q. If we insisted upon all traps being built with a space of an inch and a quarter between the slats do you think we could do away with the size limit?—A. Yes. A big lobster will go out of that space.

Q. Would you favour reducing the size limit to 7 inches?—A. I would not care about saying anything about that.

Q. Do you know anything about fall fishing; is it the case that it takes a larger percentage of lobsters in the fall to fill a pound can than in May and June?—A. It would very late in the season, but late in the fall, along the last of September, the lobsters are just as full as they are at any time.

Q. Would it be possible to fish in the straits in September?—A. Oh, yes.

Q. There seems to be a feeling among the fishermen farther west of here that they might begin later and fish later and in that way avoid taking any berried lobsters at all. Some on the other hand say September is too rough a month. A. You would not get so many hauls, but it would pay. The lobsters will trap fearfully after they get their new shell, I suppose they are hungry.

By Mr. Warburton, M.P.:

Q. Are not some of the bays on this Island natural breeding grounds?—A. I don't think they come into our bay for that purpose.

Q. I do not think there are any such bays where you are?—A. No.

Q. I mean some of the bays on the Island?—A. They go inshore to rocky bottom to spawn; I know that. They are not like another fish that will make for eel grass and green seaweed.

By the Commissioner:

Q. You have the same conditions on your side of the Island that they have on the north side?—A. Yes, pretty much the same.

Q. Do the lobsters go into the eel grass in your bay?—A. No, they do not go up into the bay, they crawl on to the rocky bottom.

By Mr. Warburton, M.P.:

Q. I do not think you have any such bays as those referred to?—A. No.

Q. Malpeque bay is a natural breeding ground?—A. Yes, and Egmont bay.

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Q. Are there any bays on the south side which it would be advisable for the government to close to fishing season and let remain as breeding grounds?—A. Not that I know of.

Witness discharged.

THOMAS PINEAU, fisherman, Rustico, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing?—A. Eleven years.

Q. Do you fish your own gear?—A. Yes, sir.

Q. What number of traps do you fish?—A. About 300.

Q. When do you first set out your traps?—A. About the last of spring, about the 5th of May. Our rule used to be the 20th of April, but oftentimes the ice bothered us and we cannot set our traps until May.

Q. One year with the other, during the time you have been fishing, what would you say was your average time to begin?—A. I think we begin on the 20th of April oftener than any other time.

Q. When you began to fish first was there any rule as to the time you could start?—A. Yes.

Q. You had always a fixed opening?—A. Not since I have been there. There was some years before that.

Q. In olden times there used to be no date for beginning in the spring?—A. I think they should begin as early as they can, but the 20th of April is early enough for us.

Q. It has been suggested by Professor Prince, who is our chief authority, that the season should open on the 1st of January in the whole inner gulf and then in various places they should begin when they can.—A. I would say for Rustico that I think the 20th April would be early enough. Some seasons we have two months' fishing only; we have got to commence so much later on account of the ice which bars us off.

Q. Would it not even things up if you could begin in March or April?—A. That is too cold for our shore there.

Q. What depth of water do you begin to fish in?—A. About 11 fathoms.

Q. How far off shore will that take you?—A. Two miles and a half.

Q. At Rustico do you fish entirely off shore or do you fish any inshore?—A. Yes, we fish about half the season in 10, 11 or 12 fathoms, the balance of the season we fish farther in.

Q. You come into what depth of water?—A. We come into five fathoms and sometimes very close to the shore.

Q. You do not come inside the bays, you remain on the outer shore?—A. Yes, sir.

Q. Is there any bay fishing near you at Rustico?—A. There is Malpeque Bay.

Q. They fish right inside the bay there?—A. Yes, sir.

Q. Have you ever fished there?—A. Not for lobsters, I have fished for oysters.

Q. When you first begin to fish outside, what sort of lobsters do you get?—A. We get the bigger lobsters outside.

Q. You fish there about half the season?—A. Yes.

Q. Then you move in?—A. Yes.

Q. And do you find a smaller run of lobsters inside?—A. On towards the last of the season the lobsters are smaller than at the first of the season.

Q. When do you find the largest proportion of female lobsters with eggs?—A. I would say it would be about the last of June or the first of July.

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Q. What proportion of berried lobsters do you get in your total catch, do you think?—A. We get very few. I don't think that I got out of 11,000 pounds any more than 100 pounds of berried lobsters.

Q. And what proportion of the fish you get would be below the legal limit?—A. That is more than I can tell.

Q. Would there be a considerable proportion?—A. I could not exactly say. We do not generally measure them.

Q. Is there a very large proportion under 8 inches?—A. I would think there would be a good many—a quarter anyway.

Q. To whom do you deliver your lobsters?—A. Before this year we delivered to the Portland Packing Company, and to Mr. Pineau also. This year we formed a company of our own that packed their own lobsters.

Q. Are you a member of one of these co-operative associations?—A. Yes.

Q. How many are engaged in it?—A. There are 39 fishermen.

Q. How has the season turned out?—A. We have made an average of 10,000 lobsters to each boat, a little better. That is for the double boats, and the single boats about 5,000, hardly that.

Q. Have you been at it long enough to find out whether there is more money in fishing than in canning?—A. Well, we were fishing and canning.

Q. Still, if you co-operated in the canning, you were interested in it. Have you sold your pack?—A. Yes, we have sold our pack. This present year we made 65 cents a hundred pounds clear of the stock we have on hand more than the packers would give us; 65 cents for each and every hundred clear of the stock.

Q. What has been the practice in your neighbourhood with regard to the berried lobsters? You have no hatchery near you; has everything gone to the cannery that you caught?—A. Oh, no. Sometimes we chunked the small lobsters overboard. There are some that are cleaned outside.

Q. Is it to your knowledge that the packers have ever refused to receive anything you brought to them, or do they take everything you bring?—A. Yes; you can always sell more lobsters than we catch.

Q. What is the smallest lobster with berries on that you have ever seen?—A. I don't think I have seen any with berries under 9 inches.

Q. The majority of them would run from 9 to 11 inches, I suppose?—A. Yes. You asked me a question whether the packers ever refuse anything. They refused to take lobsters in when they were full up, when they could not put them up.

Q. Has that happened frequently?—A. No.

Q. That happened because the packers had more than they could handle?—A. It only happened three or four times. The packers would not take the lobsters then, because they could not put them up.

Q. Will the lobsters run as large now as when you first began to fish?—A. I think they do.

Q. How do the fishermen fish in your neighbourhood; do they own their boats and gear?—A. They mostly own their own gear. I think there is only 10 or 15 per cent that fish with the packer's gear.

Q. What would you think of the proposition to require all fishermen to register and pay a license?—A. I think they have enough to pay now.

Q. How is the price arranged between the canner and the fisherman; are you obliged to take whatever is offered, or is there any competition?—A. It was so last season. As far as I understood, we could not get any more from one man than from another. The whole packing business was arranged so as to pack so much and no more. I could not get any more from one packer than I could from another.

Q. Was that this year?—A. This past year.

Q. Do you mean 1909?—A. Call it 1908. I could not get any more from one packer than from another; they had all the same price.

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Q. What about this present summer? We have heard from some places that that arrangement was broken up, and that the price rose as the season advanced; was that not so with you?—A. Not as far as I know.

Q. How does the price now paid for lobsters compare with that paid when you first began to fish? First of all, do you think the fishermen are becoming more careful about observing the law?—A. Yes.

Q. In what way?—A. They are not destroying any small lobsters.

Q. Do you think they are more careful to put the berried lobsters back in the water?—A. Yes.

Q. And you think they are careful of the small lobster also?—A. I think they are pretty careful of almost everything.

Q. Is that because they are beginning to understand the importance of preserving the fishery, or because the packer is getting more strict?—A. The packer is more strict, and the fishermen are understanding the question.

Q. Do you think anything would be gained by getting somebody to meet the fishermen and explain matters to them, because the average fisherman seems to think the regulations are there to bother him?—A. I think they understand the law pretty well.

Q. Do you find more spawn lobsters inshore than off shore when you first begin to fish?—A. When I first begin to fish outside it is early in the season, and the lobsters have not spawned then. I fish in about 10 and 11 fathoms of water, and I don't take any spawn lobsters at all. At the latter part of the season, in about 4, 5 and 6 fathoms, I find some spawn lobsters, but I do not get a great many at any place. I think it is the season that does it. I think when the season comes for them to spawn they spawn.

Q. Do you think they come inshore to spawn?—A. I think they come inshore. As the water is warmer they come closer to the shore.

Q. Is there any time when the lobster is not fit for food?—A. I cannot tell you, but some of the sealers have told me that when they carry the berries the meat is not so good as when they do not. I don't know anything about it. I just heard that from the sealers.

Q. What do you think about the present regulations with regard to size limit, berried lobsters and so forth; do you think if the law were strictly enforced as it stands it would put the canner or the fishermen out of business?—A. Yes. I don't think that Rustico can go under the limit because the fishermen have nothing else to do at that particular time and they need all the lobsters they can get. They have got a pretty hard time as it is.

Q. What are most of the fishermen in your neighbourhood, are they regular fishermen?—A. Yes, they have got nothing else but the fishing.

Q. When the lobster fishing is over what do they take up?—A. Cod and mackerel fishing.

Q. Then the bulk of them are genuine fishermen?—A. Genuine fishermen, they have nothing else to do at all.

Q. In a great many places you find the lobster fishermen are farmers and labourers?—A. That is not the case at Rustico. I don't think one per cent are farming and fishing.

Q. A number of propositions have been made with the idea of improving the fishery. Some people have proposed to shut down altogether for a number of years as the simplest way out of the difficulty.—A. Rustico could not do that at all. The people would have to leave there altogether.

Q. The Lobster Commission of 1898 recommended the closing down of the lobster fishery in sections for a term of years.—A. If we were to do that at Rustico we would have to leave altogether. We cannot do that.

Q. Others have suggested that we should do away with the size limit, increase the

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width between the slats and somewhat shorten the season, always protecting the berried lobsters; would that affect you?—A. We could not do that very well either because we would get a smaller number and we are catching few as it is.

Q. As a rule do you fish close up to the end of the season, to the berried lobster season?—A. Yes.

Q. Have you ever kept a record of the number of fishing days in a season?—A. Yes, sir.

Q. How many days do you fish one season with the other?—A. There are some seasons we had as few as 37 hauls. I think the most we had was 68 hauls.

Q. That must have been a fine season?—A. Yes, I think one year I had that many.

Q. It seems to be pretty well understood that something must be done in the interest of the preservation of the fishery. It is bad to go on as we are, not enforcing the regulations as they exist. If these regulations are not suitable we must get others that will be; what would be your idea?—A. You talk about establishing pounds for the lobster to spawn in. I think that would just suit us. There is a great place there where the lobsters do spawn. It is just in a bend of the Island. There are harbours on both sides not very far distant, three and four miles.

Q. We want a sort of a large pond with a narrow outlet.—A. There is a channel off Rustico right alongside the canneries. It is just made like that and the schooners don't use it.

Q. What depth of water is there?—A. There is at each end about 6 feet, and at very low tide 5 feet.

Q. What is the bottom like?—A. The bottom is sand and the edges are straight up and down and the lobsters make holes in it to go into. The middle of that is about 20 feet.

Q. Have you ever noticed whether the lobsters winter in these bays or not?—A. There are some that winter. We caught some.

Q. Fishing through the ice you have caught lobsters?—A. It does not freeze very much, there is so much current, and we have caught some lobsters.

Q. Do these lobsters appear to be heavy or are they as lively as in summer?—A. They are not lively.

Q. Is the practice of stripping or washing off the eggs from the berried lobster in force on your shore?—A. It has been done.

Q. Have the canners ever refused to receive anything that was brought to them?—A. Yes, they objected to receiving berried lobsters.

Q. Now as to the method of licensing canneries. You know the practice of the department is to restrict the number of licenses except in the case of groups of fishermen acting on the co-operative plan as in your own case; do you think that policy should be continued, or do you think the number of canning licenses should be restricted?—A. I think there have been some that have been canning lobsters that would make more money at something else.

Q. Do you think that the number of licenses issued to a firm or individual should be limited? In some places we find an immense number of licenses issued in one name, I do not mean here particularly, but at other places along the coast?—A. I don't believe in that. That won't give another person who wants a license a chance.

Q. Do you think we could limit the amount of gear fished by a cannery?—A. No, because there will be sometimes more fishermen will want to fish than at others. A good year there will be more fishermen want to go in, and if it is a bad year, there will be less.

Q. Is there not a great increase in the amount of gear fished?—A. There is some increase.

Q. Compared with when you began?—A. Yes.

Q. Has the amount of gear not doubled practically since you began?—A. Oh, no, nothing like doubled. I think there has been an increase of about one-fifth in the

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amount of gear. It has doubled with some, but with others the amount of gear has hardly increased at all.

Q. Do you think the number of hatcheries should be increased?—A. I believe that by these pounds you would save money so that you could place the lobsters in them. That would be far better than hatcheries, because I understand that in the case of the hatchery they take the berries off and the mother lobster is spoiled. Well, the meat of the mother is no good. If you put the mother lobsters into a pound it would be better.

Q. Is it, to your knowledge, that any fishermen has lost his catch of lobsters from the canners having refused to accept them?—A. No, but the order is sometimes not to catch them.

Q. Not to bring any more than they were able to handle?—A. Yes, sir.

Q. Do you know anything about shipping lobsters alive to market; have you had any experience in that branch of the industry?—A. No, simply what I have read in the papers. I understand you get more for the lobsters when you fish them alive.

Do you think that selling live lobsters for shipment will yield better returns to the fisherman than selling them to the canner?—A. As far as I understand.

Q. You have not the facilities in your neighbourhood for carrying on the live lobster trade?—A. No.

Q. Do you think there is anything in the statement made that the Island lobster is not as hardy as the Atlantic lobster; it has been stated the former will not stand transshipment?—A. I don't believe that; I believe they are all the same kind of fish. I think we want the live lobster trade. The fishermen want all that they can get, otherwise they will not have anything.

Q. Have you any idea of the price paid for live lobsters?—A. No, I could not tell you.

Q. Are there any other fishermen in your neighbourhood who are likely to apply for co-operative licenses?—A. I don't think so because we have one and we have taken in anybody that wants to go in.

Q. The statement has been made authoritatively that a strict enforcement of the 8-inch size limit, together with the assistance of hatcheries and pounds, would protect the lobster industry; what do you think about that?—A. I think we cannot do without all the lobsters we can catch.

Q. Do you think it is right to take undersized lobsters that have not reached the age at which they can renew themselves, that have not reached maturity?—A. I don't know whether it is right to can them, but the amount is all required because people have nothing else to live on other than that.

Q. What is your best fishing time?—A. At the first of the season we get most of the lobsters, but there is not so much flesh according to the weight of the shell as there is later. I think as soon as we can begin, 20th April, is the time when we get the most caught.

Q. Do you think that the present season extending to the 10th July suits you best?—A. Yes.

Q. Beginning on the 26th April?—A. The 20th of April would be better.

Q. Do you think a shortening of the fishing season would cripple you?—A. Yes.

Q. Even if allowed to take undersized lobsters?—A. You understand when there is a late spring with us we have an awfully short season when we cannot set our traps until the 20th of May because the ice would be off the shore. If you had to stop on the 1st July you would have no time at all.

Q. It would not be possible, you think, to carry on fall fishing where you are located?—A. I don't think it would be suitable, because we fish for other fish, mackerel and cod.

By Mr. Warburton, M.P.:

Q. You have once or twice spoken of a very short season; is it not the fact that when you had a late season you had a very good catch?—A. The biggest fish we had we caught in the middle of May.

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Q. That was two years ago?—A. Yes.

Q. Do you not always get a big catch in a late season?—A. Not always.

Q. Two years ago you got the very biggest you ever had?—A. That was a late season.

By the Commissioner:

Q. When the fish are held back by the ice they seem to come in afterwards with a rush?—A. Yes.

By Mr. Warburton, M.P.:

Q. Up where you are, you said you found very few spawn lobsters, and further you stated that a hatchery would be a very good thing; would there be any use in establishing a hatchery for such a small proportion of spawn lobsters?—A. There are a great many boats fishing.

Q. That is a place I have been urging the department not to establish a hatchery, where there are no spawn lobsters?—A. I do not take any more than 100 pounds.

Q. You have been talking about the factories up in Rustico; would it be advisable to have every factory built up to a certain standard, certain means of keeping them clean, and other improvements so as to have a good working factory?—A. Yes, that is right. I believe that is the case now in Rustico.

Q. We used to have factories around this Island that did not cost more than \$200 or \$300, and were not much good; would it be in the interest of the industry to have good factories that cost a considerable amount of money to put up?—A. To have them kept clean? I think they are kept pretty good in Rustico now.

Q. I mean would it be advisable to have good factories and the best appliances?—A. You would not need to require too much money to build them on the co-operative plan. The poor fishermen could not build a very expensive factory, but I believe they ought to be kept clean.

By the Commissioner:

Q. What kind of a cracking table would you have?—A. The cracking and packing table and the pans are all of zinc.

Q. In some places they are using enamelled ware tables, some have got marble?—A. I don't think it would suit the fishermen, they are so expensive.

Mr. Warburton, M.P.—Not so expensive as the fishermen think.

The Witness.—Of course if they would not be very expensive.

By the Commissioner:

Q. In view of the character of some of the canneries do you not think the product should be inspected?—A. Yes, and kept clean.

Q. Other products are inspected, why not canned lobsters?—A. I believe they ought to be inspected at the expense of the government, but I don't think the fishermen can pay officers to inspect all these canneries, because they have got little enough to keep themselves with paying for a license.

Q. Do you not think the industry should pay for its own protection?—A. No, because I don't think they are able.

By Mr. Warburton, M.P.

Q. But aside from that would you think the canneries ought to be inspected?—A. I think they ought to be inspected and kept in order, but not at the expense of the packer or the fisherman, because that would close us down.

Q. But if the government undertook the inspection do you think it ought to be done?—A. Yes, sir.

Witness discharged.

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STATEMENT filed by Mr. Pineau, North Rustico, showing catches of lobsters from 1899 to 1909 inclusively.

Thomas Pineau and Andrew Doucette, lobsters to:

1899—Pineau Bros.	9,976 lbs. at \$2 25
1900—Thos. Pineau, Moses Gauthier.	10,077 “ 2 50
1901—Thos. Pineau, Moses Gauthier.	10,457 “ 3 00
1902—Thos. Pineau, Moses Gauthier.	14,869 “ 2 60
1903—Thos. Pineau, Henry Gauthier.	14,487 “ 3 25
1904—Thos. Pineau, Henry Gauthier.	16,971 “ 3 50
1905—Thos. Pineau, Moses Gallant.	16,218 “ 3 50
1906—Moses Gallant.	12,336 “ 3 50
1907—Thos. Pineau, Moses Gauthier.	19,126 “ 4 50
1908—Thos. Pineau, Moses Peters.	16,126 “ 4 00
1909—Thos. Pineau, Fillie Pineau.	11,272 “ 2 90

WILLIAM A. MACDONALD, fisherman, Grand Tracadie harbour, called and sworn:—

By the Commissioner:

Q. Do you confine yourself entirely to the lobster fishery?—A. I generally farm when the fishery is over.

Q. You do not engage in any other fishing?—A. Not the last three or four years.

Q. How long have you been fishing?—A. It is about sixteen years since I fished first. I have not always been fishing all the time since.

Q. Do you own your own gear?—A. No.

Q. The outfit belongs to the cannery, what cannery?—A. S. C. Clark, Blooming Point.

Q. What number of boats are fished from that factory?—A. There were 13 this year.

Q. Were they mostly independent fishermen, or what were they?—A. They fished his gear except one boat that had their own.

Q. At what rate were they paid?—A. About \$1.50 and board themselves. That was the general price I think.

Q. How many pounds of lobsters did you catch?—A. I don't think I caught quite 8,000. This was a slack season.

Q. What caused that, was the fishery late in beginning?—A. No.

Q. The ice did not remain late in your part of the island?—A. The season was not so very late this spring, but the lobsters seemed slack some way about the 7th or 8th of May.

Q. When did you put out your gear?—A. I don't think we ran our lines before May. Of course the season opened on 26th April but we could not get out just then.

Q. Were other fishermen out before you got out?—A. No, I think we all went out the same day.

Q. In what depth of water did you fish?—A. I was not out any farther than 10 fathoms with my outside gear. Then later on in the season we moved in our gear to two and a half and three and a half fathoms.

Q. You fished half the season outside and the other half inside?—A. Yes, just about.

Q. What number of traps did you fish?—A. I fished about 325 or 330.

Q. That is in a double handed boat?—A. Yes, two men to the boat.

Q. How did you find the fish when you first began?—A. I found it something better than I did at any time of the season, except when I moved some of my gear inside. Then perhaps for the first while, or the first few days, I found it pretty good fishing.

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Q. How is it one season with the other, would you expect the best of your fishing when you first begin?—A. As a general thing. Some years we have good fishing about the time the season closes. But last July there was good fishing coming on.

Q. I suppose the fishing is that way, it seems to come in spurts?—A. Yes, sometimes they slacken off and sometimes we have them good.

Q. What has been the practice, within your recollection, as to the observation of the law, has the regulation regarding the taking of undersized or berried lobsters been observed at all?—A. I don't think it has been observed very much.

Q. The canner as a rule took everything you brought?—A. The canner did not want us to take them in. He told the fishermen not to take them in, but I guess the way it was when one fisherman would let them go another fisherman would take them in, and I guess as a general thing they all took them.

Q. Do you think the fishermen are in the habit of not selling to a canner who is stricter in the observance of the regulations than others?—A. I never heard it so.

Q. Some cannery have complained that they have to take whatever lobsters are brought to them, otherwise they would lose their fishermen?—A. I never heard anything about that.

Q. Were the packers any more careful this year about the berried lobster regulation?—A. Well they did say more about it. Our packer had a notice in the factory saying that the fishermen would be deprived of ten pounds of fish for every spawn lobster they took. Whether he got any spawn lobsters or not it was never put in force.

Q. Have the regulations ever been enforced?—A. Not that I know of.

Q. Did you ever hear of anybody being fined?—A. No.

Q. Has the practice of stripping the berries off the female lobsters ever been carried out by the fishermen in your locality?—A. Well I think it has sometimes.

Q. There would not seem to be any need of that if the canner takes all the lobsters that are brought to him?—A. The cannery did not want to take the spawn lobsters.

Q. Is it an easy matter to strip the berried lobsters?—A. I don't think it is hard. I have done it myself to tell the truth.

Q. I have done it also but found it pretty hard, the berries do not come off very easily you know.—A. There is a trick in doing everything.

Q. What proportion of the lobsters in your catch will be berried lobsters, one year with the other?—A. This year we had a smaller pack than usual and there was but a very small proportion.

Q. Would you venture to say what percentage there was of berried lobsters?—A. I feel quite sure I did not have a hundred pounds of spawn lobsters this season, I feel quite sure.

Q. Are they generally a good sized lobster?—A. Yes, the lobster is large.

Q. What would you say was the smallest lobster you ever saw with berries?—A. I don't think I ever saw any under eight inches.

Q. Within the last year of your fishing do you find much change in the condition of the lobster fishery, is it as good as when you began?—A. I fished last year and the year before, and they were the two best seasons I ever had.

Q. That is to say with regard to quantity?—A. Yes.

Q. Was the run as good as when you began fishing?—A. Yes, I think they were.

Q. What proportion of the lobsters you take would be under the eight inch limit?—A. Take from the beginning to the end of the season, I would say there would be two-thirds under the eight inch limit.

Q. That could not have been a very large run of lobsters?—A. When we move our gear inside we get all small lobsters.

Q. Do you get smaller lobsters in shoal water?—A. Yes, in June and July.

Q. Would you run that generally as a rule do you think?—A. Of course you would.

Q. Would you expect to get a smaller run in the latter half of the season than

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in the earlier half?—A. We always do. Of course sometimes we move on to sand bottom and as a general thing you get smaller lobsters than on rock. In rocky gullies we generally get larger lobsters inside or out.

Q. Have you any idea as to the kind of bottom the lobster likes to spawn on?—A. I don't think the female lobsters like to spawn on rock.

Q. The female lobster does not deposit her spawn, she carries it under her tail and it is hatched out there?—A. Of course that is something I could not give very much opinion on, because I don't know very much about it.

Q. Do you think the present trap is more destructive to small lobsters than the old fashioned trap, the double ender?—A. Of course the trap we use now holds the lobsters better. When the slats are left some distance apart, I don't think it would be any more destructive than the others.

Q. What distance apart are the slats in your traps?—A. I don't think they would be more than three-quarters of an inch at the outside.

Q. Do you think it is desirable to have the slats as narrow as that; do you not think it would be wiser to keep them a little farther apart and in that way allow the small lobsters a chance to get out?—A. If you lost the small lobsters on the north side you would lose them all, and you might as well shut down.

Q. What lobsters do you throw out?—A. We don't throw out any.

Q. Do you bring lobsters into the factory down to three or four inches?—A. We don't get them that small. If we got little things like that we would throw them out. As a general rule, I don't think we would take them any smaller than five or five and a half inches and the like of that.

Q. Have you any idea what number of lobsters it would take to make a hundred pounds in weight?—A. I cannot tell.

Q. Or how much they run to the pound can?—A. I cannot tell you how many lobsters it takes to a hundredweight. It would take a lot.

Q. What would you think of the proposal to license the fishermen?—A. I don't know that it would do much good.

Q. Do you think it would have any effect in making the fishermen more careful?—A. I don't see any effect it would have, any more than that one fisherman would see that another would have a license. I don't see either that it would have any effect in making them regard the regulations; it would be putting them that much out of pocket.

Q. What do you think of limiting the amount of gear; do you think there is any object in restricting the number of canneries, as is done at present, as long as the amount of gear is not limited?—A. I think it would be a very good thing to limit the amount of gear. If you limit the number of traps of course they could make it up in boats; they could put on more boats and it would be about the same thing. If you did anything you would have to limit the number of boats. There would be no use to limit the number of traps because they could put on more boats.

Q. Under the license system you could do that; would that be one object in adopting a license system?—A. In adopting a license system would you license just as many traps to a factory?

Q. License the fishermen and limit the number of traps fished by a boat. That is for you to say; do you think the amount of gear ought to be limited?—A. I think it should.

Q. Is there too much gear fished now?—A. I say it is a mistake for some factories to fill up on gear and perhaps other factories have a small amount, because if you fill up a large amount of gear on a limited space, it stands to reason the fishermen cannot get as many lobsters.

Q. Would you limit the amount of gear allowed to a packer?—A. Yes, I believe it would be a good thing, I think it would.

Q. What do you think of the co-operative system of canning; should the department encourage the fishermen to club together and do their own canning?—A. Yes, I believe that is a good thing.

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Q. You fish off shore?—A. I fish off shore.

Q. Do you know anything about inside fishing in bays and lagoons?—A. They don't do any lobster fishing in there, but I know that in our bay lots of lobsters go in in the summer. Some years before they began to pack lobsters the bay used to be literally full of lobsters, but they do not come in as much as they used to.

Q. Is there any fishing in that bay?—A. No, sir, they don't fish any lobsters.

Q. Is that because it is no use fishing?—A. I don't think it would pay, but I suppose there has been a larger quantity of lobsters come in that bay the last few years than before that.

Q. And they are not disturbed there?—A. Not disturbed.

Q. Do you think the lobsters go in there to breed?—A. It seems to me it would be a natural breeding ground for them, but as a general thing in that bay you don't get very large lobsters now I think. But after the season is over I think there are larger lobsters go in there.

Q. What sized hoop do you put in your trap?—A. I would say about five inches.

Q. Is that the general run?—A. That is the general run. Some might think it better to use a little smaller and some a little larger. It is just the fancy of the fisherman.

Q. What would you think was the best way to get at the fishermen to explain to him the necessity for observing the law, making him understand that the regulations which should be enforced are for the benefit of the fishery and the people?—A. Well, as you spoke before of sending a lecturer around, I think it would be a good idea to explain thoroughly to the fishermen what is needed.

Q. What is your opinion about pounds and hatcheries?—A. I think unless there are some erected on the north side it would be impossible to save the small lobsters.

Q. Why?—A. They would be destroyed; they would be taken.

Q. But supposing they were taken and brought to a hatchery or pound?—A. That is what I mean. Under the present conditions, I think, you cannot save them, unless pounds or hatcheries are erected.

Q. Do you think it is not possible to follow the matter up and strictly enforce the law in regard to berried lobsters?—A. I think it would be a very hard matter.

Q. How about undersized lobsters?—A. I think if you limit the size on the north side, where I fish, you would put everybody out of fishing.

Q. Have the fishermen not realized the necessity for saving the spawn lobsters?—A. Yes.

Q. Cannot they see that they cannot go on destroying the berries without disastrous results?—A. They seem to, all right, but at the same time one fisherman is a kind of suspicious of the other, and if he throws a berried lobster away he will think another one will come along and pick it up.

Q. Have you had any experience at all in the live lobster trade?—A. No, sir, I have not.

Q. Which do you think would be the most profitable to the fisherman, the canning industry or the live lobster trade where facilities existed for it?—A. Well of course we cannot ship all sized lobsters alive. If the limit was high I don't think it would pay as the lobsters are too small.

Q. Then in any case there are no facilities where you are located, on the north side of the island?—A. No, sir.

Q. Would it be a difficult thing for the canner to detect the berried lobsters when they are brought in?—A. In some cases I guess it would be very difficult.

Q. Where a large number of lobsters are being delivered very rapidly would it be a difficult matter?—A. Oh, yes, it would be a difficult matter.

Q. Would it be a difficult thing for the fisherman to detect berried lobsters when he takes them out of the trap?—A. For the packers it is almost impossible to detect them before they are boiled. It would be too late when they are in the boiler. The

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fishermen have the best opportunity. Of course they might take some spawn lobsters in no matter how careful they might be. They have the best chance to detect the spawn lobsters, a better chance than the packer.

Q. Did you tell me whether there are any facilities in your neighbourhood for the establishment of pounds?—A. Tracadie bay is a large place, but I don't understand much about a pound.

Q. A certain depth of water, several acres in extent, is required and there must be a free flow of the tide in and out and not too much fresh water.—A. Our bay is of salt water and there is lots of tide and deep water.

Q. What depth is there?—A. In pretty much all the bay there must be four or five fathoms of water.

Q. Could we find a narrow place where the lobsters could be barred in; we want, if possible, a place with a narrow mouth?—A. As you go in the harbour there is a narrow channel with shoals on both sides, and when you get up a certain distance it opens out.

Q. Is that used for purposes of navigation?—A. The boats go up and down.

Q. What would you think of shutting down the fishery completely for a term of years —A. Well, I think, there would be a lot of objection to that.

Q. What would be the trouble?—A. Well, the way it is people want to get all they can out of it.

Q. Could the fishermen turn their attention to anything else, are there not other fisheries they could devote themselves to?—A. There are, but there are some fishermen not as well equipped for those as for the lobsters.

Q. What would you think of closing down by sections of the coast?—A. Well, if you saw fit to close down it might be better, but still I don't think it would protect the fish in closing down.

Q. But do you not think that if the fishery were closed down the lobsters would recuperate?—A. If the fishery were closed down for a certain number of years it stands to reason they would, the spawn lobsters would have a chance to spawn.

Q. A couple of years would make a great difference in the size of the lobsters?—A. Yes.

Q. What would you think of the other proposition to do away with the size limit and in return for that somewhat shorten the season?—A. I think the season is short enough. I don't think you could use a size limit for us because we get a very short season here sometimes.

Q. It is proposed to shorten the season and do away with the size limit; we would expect to do one or the other. If we are to shorten the season we would expect to do away with the size limit and make some return in that way?—A. I don't think there would be any use in establishing a size limit.

Q. Is it not possible to enforce it you think?—A. I don't think so. I think it would put the industry completely out of business here.

Q. Do you think we could get along if we insisted on a certain width between the slats in the traps, save the berried lobsters and shorten the season by ten days?—A. Take ten days off the the last of the season?

Q. Certainly, not off the first.—A. As a general thing we have 1 to 15 days off at first. Some years ago we did not catch any lobsters until May 22 or 23. That year we only had, I think, 35 hauls.

Q. What would you think would be the best way out of the difficulty?—A. It is a very hard thing to tell. I don't think you could limit the size, whatever you do about the season, and the fishermen think the season is short enough already. We have a lot of rough weather on the north side. On the south side it is different because, as a general rule, they get a longer season than we do with the same opening and closing.

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Q. Have you any suggestion to offer?—A. No, I don't think of anything except protect the spawn lobsters.

Q. Do you think that would be sufficient if you allow the undersized lobsters to be destroyed; will simply taking care of the spawn lobsters meet the case, do you think it is possible to continue destroying the young?—A. It would not be any good to establish a size limit of less than 8 inches and protect the spawn lobsters, and if you make that size limit it certainly puts everything out of business. Of course, if you do not take it this year you would take it next year smaller than 8 inches, 6, for instance.

Q. Would you favour reducing the size limit to 6 inches?—A. I would not favour any size limit at all.

Q. Then you want to do away with the size limit and allow the season to remain as it is?—A. I would not like to see it any shorter.

Q. What do you think about the price paid for lobsters; are the fishermen getting a fair price for their catch?—A. I believe they could get more.

Q. How is the price fixed or arranged?—A. I don't know very much about how it is arranged.

Q. Well, in your own case do you make the best bargain you can with the packer? Is it a matter of bargain, can you get more in one place than you can in another; is there any competition in the matter?—A. In some cases there is competition.

Q. You do not think there is any combination to keep the price within a certain limit?—A. Well, I don't know; I would not state that positively at all. I think they take great care not to pay too much to the fishermen.

Q. Do you think the fishermen generally would get more out of the industry if they were allowed to can?—A. I think they would.

Q. What do you think about the matter of licensing; should any man who could show his competency to can be allowed to do so?—A. Of course too many establishments would not be good. I don't think it would be a good idea to let every one pack, but I think it would be a good thing to limit the number of licenses to each man. One man should not have more licenses than another. I don't think one man should have three or four licenses, and perhaps some one else not be able to get any.

Q. Do you think there ought to be any inspection at the cannery?—A. Yes, I think they ought to be very particular about putting up the goods because, lobsters have got to be a luxury and a great industry in this Island, and I think they should put them up in the best possible way.

Q. And you think that would be best accomplished by having a rigid inspection?—A. Yes, I think it would.

Q. Ought there to be a standard factory or cannery and should a canner be compelled to have standard fittings?—A. Well, perhaps. For instance, fishermen might go into canning on the co-operative plan, and it might not be possible for them to fit up their factory quite as well as people who have been in the business a long time. If they could put up their fish clean so as to stand the inspection I don't think it would be right to compel them to have all the appliances.

Q. Such as marble floors and electric lights?—A. No, I would not think so, as long as they would put up the lobster in good condition.

Q. Do you think the present staff of fishery officers would be competent to carry out that inspection?—A. I don't see why they should not be. They have been looking pretty well into the industry now.

Q. Are you aware of any fishermen having lost his catch of lobsters at any time by the canner refusing to accept them?—A. No.

Q. I suppose it might happen when a glut occurred?—A. They would not refuse the lobsters even in a glut. I have seen it happen that perhaps on Saturday afternoon the canner would tell the fishermen not to take any more than so many lobsters so as to get through with them by Sunday morning, and you would not put out all your traps.

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Q. There has been no attempt to squeeze the fishermen by refusing to take his catch of lobsters?—A. No.

Q. Do you think there is any reason why the size limit should be smaller in one district than in another?—A. Yes, I think there is. For instance, on the south side they get larger lobsters than we do on the north side. It would not be fair that there should be the same size limit.

Q. Why do they get larger lobsters there; were the lobsters always larger when the fishery was in its infancy?—A. When the fishery started they were larger I believe.

Q. Is it because they have fished more on the north side than on the south?—A. They fished just as much over there; I don't know what is the reason.

Q. Do you think it is in the interest of the lobster fishery generally that lobsters should be taken before they have reached the age of reproduction? You do not find female lobsters under 8 inches; should any lobsters be taken under that size; do you think the fishery can possibly survive if we continue to deplete it by taking fish that are immature?—A. It is a pretty hard question to answer.

Q. Is there any doubt about it?—A. Of course if you destroy the spawn lobsters—

Q. Do you think more lobsters are required in the fall to fill a pound can than in May and June?—A. That is in September?

Q. I don't suppose you could fish much later than that.—A. No. Of course I have not had any experience, but I don't think it would.

Q. Do you think the lobster fishery should be confined to a certain depth of water, that we should prohibit fishing in too shoal water?—A. I don't see that it makes any difference. I think we should be able to take lobsters wherever we catch them as long as we follow regulations.

Q. What is the best fishing period with you?—A. Sometimes we get a good school in July, other years we don't. You are sure of better fishing at the first part than at any other time.

Q. Is there any statement you would like to make of your own accord?—A. I don't think of anything.

Q. You do not care to say what regulations you think should be enforced?—A. I would think if there were hatcheries erected or pounds. Of course we have none on the north side, and it is very hard to take care of spawn lobsters unless you have something of that kind.

Q. You think the best way of saving the eggs would be to buy the spawn lobsters from the fishermen and take the spawn to the hatchery?—A. Yes, I think it would be the best way.

Q. It would certainly be one way?—A. That is one in my estimation. There might be other and better ways.

Witness discharged.

MICHAEL FEEHAN, canner, Mount Stewart, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in canning lobsters?—A. About twenty-five years, I think since 1882.

Q. What number of boats do you employ at your cannery?—A. When we first started I think it was four or five.

Q. Give us the history of your canning experience in your own words?—A. We have had them more sometimes and sometimes less. We have had as many as eight. That was about the most that we ever had. For these last years we have only fished seven.

Q. Do you furnish your own gear and boats entirely?—A. Yes, sir, everything.

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Q. Are there a large number of boats fishing in your neighbourhood; is there any other licensed cannery near you?—A. Yes, Mr. Clark fishes on both sides of us.

Q. How many canneries do you control, only the one?—A. Only the one.

Q. What number of hands do you employ in the cannery, men and girls?—A. Twenty-four I think we had this year.

Q. You have closed down for this year; what has been your pack?—A. 350 cases.

Q. What was it last year?—A. We had a straight run I think of 784.

Q. The two previous years, 1907 and 1908, were good years?—A. Yes. Of course we had more gear this year. The fishermen clamoured for more gear and we gave it to them. Still we did not have as good a pack as last year.

Q. How was 1907?—A. That was a good year, but not as good as last year.

Q. And the years before that?—A. 1906 was fair.

Q. What did you put up when you first began to pack?—A. The first year we packed 480 cases with four boats. We packed until the 20th of August.

Q. There was no limit then, you began when you pleased?—A. We cannot get out at the proper time. Some years it is the 18th or 19th of May. I have seen it as late as the 22nd of May before we have got any lobsters.

Q. How is that?—A. It is owing to the ice.

Q. How is the condition of things to-day, as to size, abundance and everything else, compared with what it was when you first began packing?—A. Of course if we ran as much gear and as many boats when we first began to pack lobsters we could not handle them at all, because I saw boats coming in built up with laths on the sides covered over with lobsters. That is when we first went into the business.

Q. And when did they begin to decrease?—A. After we were three or four years in the business they commenced to decline and went down quickly. We were years in it that it did not pay. We were six years in succession that we were in debt every season.

Q. You got very little for your lobsters then?—A. The price was not in it.

Q. What was the price then?—A. The price when we went in was only \$4.57, but it got better.

Q. What was the highest price you ever received?—A. The year before last was about the highest I ever knew it to be. It went up to about \$15 and \$15.50 for halves.

Q. They were much more abundant in the early years, and were they of larger size?—A. Yes, we did not take any more than 9 inches when we went at it.

Q. Was the law more strictly enforced in those days than it has been since?—A. I don't remember anything about the law. I remember there was one time Mr. Liddy was the warden and they were pretty strict about the spawn lobsters and small sized lobsters too.

Q. They followed it up for a couple of years did they not?—A. Yes.

Q. And when did you begin to find that the fishery was running down?—A. It is 15 or 16 years ago.

Q. What has been your experience within the last 10 years?—A. They were declining up to 1897, and it seemed to me that in the years 1897 and 1898 lobsters came that never were on this shore before by the look of them. I don't know whether anybody took notice of them as I did but they were not the same shape at all. Nor were they the same shape this year as they were last year and the year before. I said this season when I saw the lobsters that we were going to have a small pack.

Q. Do you think the lobsters approach the shore for the purpose of spawning?—A. No, I don't.

Q. What brings them in?—A. They come in when the weather gets warm because these little ones are lobsters that don't spawn at all and they come in just the same.

Q. The lobsters winter in deep water do they not?—A. They go in the mud in the winter.

Q. And in the spring they come towards the shore?—A. Yes.

Q. During what months do you think the lobsters spawn?—A. I don't think the

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lobsters have any stated time to spawn at all. They spawn at all times because we have caught them in our first catches.

Q. Do you not notice any difference in the spawn at any time?—A. No.

Q. Do you not find the spawn larger and brighter and of a different colour as the lobster comes nearer the hatching time?—A. I have taken lobsters in our first catches that were just after spawning.

Q. Early in May?—A. Yes, in our very first catches.

Q. Then you find them later again in the season?—A. Yes, all through the season, they have no certain time.

Q. You think we can run a hatchery in October as well as in June?—A. Yes, if people are fishing.

Q. Do you think the female lobsters spawn every year?—A. Well, I don't know as to that.

Q. What is the smallest size at which you have seen a female lobster with eggs?—A. I have seen them as small as six inches. I saw a case of that this season. Of course a lobster like that came in by mistake because we were not taking them that small.

Q. What would be the average size of the berried lobster?—A. We have seen them all the way from that size.

Q. Have you see many spawn lobsters below 8 inches?—A. Not very many because they were not bringing them in this year.

Q. Yes, but when you did bring them in?—A. I have seen a good many, that would be about the first of July. I don't know if that lobster ever grows any bigger. Those lobsters used to be little hard-shelled fellows with black shells on them.

Q. What percentage of the lobsters in your neighbourhood bear eggs?—A. They would be much about the same percentage as a previous witness said. I could hardly say. This year our fishermen told us they threw as many as 36 in a haul.

Q. Is the practice of stripping or washing the eggs off the berried lobster followed by the fishermen in your neighbourhood?—A. I think it is to a certain extent.

Q. Do you think it would be possible to get the fishermen to return to the water all the berried lobsters they take?—A. The only way to do would be to pay the fishermen for them, I suppose, and have a hatchery. I would say Tracadie bay would be a convenient place for one, and have some person to carry the lobsters from the factories. First of all let the fishermen take care of them and keep them in the water.

Q. Would the canners be prepared to pay an increased fee with a view of raising a fund for the purchase of the spawn lobsters from the fishermen; do you not think the industry should pay for its own protection?—A. Yes, that is right.

Q. Would it be right to increase the fee paid by the canner so as to cover the cost of buying these lobsters and running a hatchery?—A. I for one would be satisfied to do that.

Q. Has it been your practice in the past to make any objection to receiving berried and undersized lobsters when they were brought to you by the fishermen or did you take everything that came?—A. We used to because there was nothing about it until this year. Of course I have seen them boiled and packed.

Q. How comes it that you have not packed them this year but that you did in other years?—A. The guardian told us.

Q. The law was always the same was it not?—A. Well of course I never heard very much about it.

Q. If the law were strictly enforced with regard to undersized and berried lobsters how would it affect you?—A. It would shut us down, put us out of business.

Q. Is there any illegal packing going on in your neighbourhood, are lobsters caught after the close of the season?—A. No, sir, I think none. They cannot do it there very much.

Q. Do you live in the neighbourhood of any bay or shoal water where the lobsters could be taken inshore?—A. There is no fishing in bays or harbours where we are.

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Q. Would there be any chance in your neighbourhood of establishing pounds?—

A. No, Tracadie would be the only place. There would have to be some person to convey those lobsters.

Q. They would have to be bought from the fishermen, taken to the pound, and fed while there?—A. They would have to be fed?

Q. Yes. Furthermore they must not be crowded or they will destroy each other?—A. Then it would have to be a pretty large place.

Q. Can you give me any idea of the number of lobsters it takes to fill a case or a pound can?—A. It would depend. Of course we take them just as they come. There are lobsters that we pack that it would take a dozen any way to fill a pound can. I don't know but what it would take fifteen. They bring them to us and of course we buy them by weight. What are we going to do?

Q. What size do you pack?—A. Whatever stays in the trap.

Q. What size would that be?—A. That would be 5 inches.

Q. Can you do anything with a lobster as small as that profitably?—A. The small fish pack better than the large ones. I put that down to the thinness of the shell as the large lobster has a very thick shell.

Q. Then the small lobster is the most profitable?—A. The small lobster is the most profitable.

Q. What do you think of the practice of destroying the small lobsters?—A. Well it is not right, the fish have not reached maturity to begin with. It is not right, but still if you stay in the business and don't take them you know what that means; it will put you out. The packing of spawn lobsters is another thing that is not right.

Q. Do you think there is any difference in the meat of the spawn lobster?—A. The meat is not so solid. If you boil and can a mother lobster, and boil and can a he lobster, and open the two at the same time it is quite easy to tell which is the best lobster.

Q. As a rule the female lobsters are full of meat?—A. Yes, full of meat but it would be spongy and something like the meat of the lobster when it is shelling.

Q. What do you think about the present system of licensing canneries?—A. Well on our shore there is a big lot of gear fished. It is fished from 14 fathoms into I suppose 6 or 7 feet of water.

Q. Do you think the principle of limiting the number of canneries is right, is there any reason why a man who shows himself competent to pack should not be given a license?—A. Let him go into the business and try it. If he fails he has got to put up with it.

Q. Do you think it would be right to require that man to can up to a certain standard?—A. Yes, well I believe it is. Still it is my belief if they let every person that wishes to, go and can it will put an end to the business.

Q. And then we could shut down altogether for a term of years?—A. You won't have to do that, it will shut down itself.

Q. Then the fishery will recover?—A. Then we will all get out of it for a while and come back again.

Q. It has been proposed to shut down the fishery for a number of years; what do you think of that?—A. I suppose there would be some packers that would consider they would have to be compensated for the gear they have, because the gear will wear away the same as if it was used. If the packers shut down for two years the gear they had would be of no account, they would have to build their gear all over again.

Q. I do not suppose it would be proposed to shut down without giving due warning?—A. That would be a help to us.

Q. What change would you make in the present regulations with a view of protecting the fishery for the future?—A. Well on our shore there are some seasons we hardly ever get out before the 10th of May. Sometimes it is as late as the 18th, 20th and 21st before we get lobsters; I have seen that two or three years in succession.

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That part of the north side of Prince Edward Island, I think, is fairly well protected for the season it has. Because you see some years we only get about a month and a half to fish. The year before last, although it was a good year, was only about a month and a half. There were 33 hauls.

Q. I want to know what is your suggestion for the improvement of the fishery?—

A. I suppose the only thing I could say would be to shorten the time, cut off July.

Q. You would cut off July?—A. That would be the only way to help it in that direction.

Q. Do you not realize that something must be done to preserve the fishery?—A. Of course.

Q. What is the best thing to do?—A. To restrict us to a size limit of 8 inches would shut us down.

Q. Do you think it would be possible to enforce the regulation?—A. If you did enforce it it would put us out of the business and the fishermen could not fish.

Q. Supposing we tried to enforce it?—A. We would only last about a week and then there would be nobody in the business.

Q. It would drive everybody out of the business?—A. Yes, drive everybody out.

Q. What would you say to the suggestion made by some people to do away with the size limit, but allow a sufficient opening between the slats of the trap to let the small lobsters escape?—A. I think that would shut down the canneries, but we have fished when we had that opening in the laths; I think it was an inch and a quarter.

Q. What is it now?—A. I would say about three-quarters of an inch; I believe that is the size now. If we did not use these parlour traps but only the two headed traps we used to use, we would not get any lobsters at all.

Q. Then I understand you to say your idea of the matter is that we could shorten the season?—A. Well, it is the only thing that can be done.

Q. And introduce hatcheries and pounds?—A. I believe myself it would not be impossible to put a hatchery in Tracadie bay. I believe if lobsters were put in the bay they would find their own grounds and spawn in there.

Q. Have you any knowledge of the live lobster trade?—A. No, sir. I consider it would be of no account in our district.

Q. You are too far away from the market and the facilities do not exist for shipping live lobsters?—A. No.

Q. Where it can be done do you think it is more profitable to the fishermen than selling to the canners?—A. Yes, if they could get the lobsters of the right size it would, I should think, double their profits.

Q. Do you think more lobsters would be required to fill a pound can in August and September than in May and June?—A. I don't know anything about August and September fish because we never pack in those months.

Q. Is it the case that canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen?—A. Not with me.

Q. Who fixes the price paid to the fishermen for the lobsters?—A. The fishermen come to me and want to know what they are going to get, and of course then it would be my —

Q. Then you fix the price?—A. Yes.

Q. Do you think there is any understanding among the canners generally not to pay more than a certain figure?—A. No, not our way.

Q. Every man pays what suits him?—A. Any man that comes to me might say what such a one was paying, but I hire him myself. This year I paid \$1.50 and found my fishermen in everything. Last year I paid them \$2 and found them everything.

Q. The difference is caused by the lower market?—A. Yes, sir. This year when the fishermen came to me I said: 'I cannot make you an offer. I would be ashamed to name what I can offer. If you like to go and fish you can.'

Q. Do you think the fishermen are satisfied with the arrangement made?—A.

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Some of them were not. Of course if there was a rise in the market I have made it a point to give the fishermen the benefit.

Q. If the market drops you would expect the fishermen to do the same thing with you?—A. That seems to be a little harder, but it is only reasonable that they would.

Q. What is the best period of the fishery with you?—A. When we get the most? In May, when we first start.

Q. What would you think of limiting the amount of gear fished by each canner?—A. Well, that would be all right. Of course there are some fishermen if you put them on a limited amount of gear they might not go fishing. A good strong man wants as many traps as he thinks he can haul.

Q. What would you think of limiting the amount of gear fished by a canner? In some places, it is claimed, the large canners monopolize too much ground. They employ a large number of boats of their own and crowd the others out; is there anything in that?—A. There may be something in their putting out a lot of gear; I believe there is.

Q. Do you think it would be wise to limit the amount of gear as well as the number of canneries?—A. That might be all right, too. I always like to see the fishermen do something when they are at it, and I never wish to put too much gear on the ground. As that is the reason why I cut off some of the gear to give the men who were on the ground a chance.

Q. You are not disturbed by outsiders in your neighbourhood; you have the ground pretty well to yourself?—A. We had five or six other boats this year.

Q. Do you think the product of the cannery should be subject to inspection?—A. Yes, that is right.

Q. Do you think the existing staff would be competent to carry out that inspection, that is, the present fishery wardens, overseers and inspectors?—A. Yes.

Q. What would you think about giving a canning license to an alien?—A. I don't know what to say about that. If they were interested people that lived in the Dominion I would say it was all right.

Q. Are there any co-operative canneries in your neighbourhood?—A. There was one started this year.

Q. The gentleman who was examined was interested in that?—A. No, another one. You could not call it a co-operative gear because he got some of the gear himself. It would not be co-operative because he got up the gear for three boats himself.

Q. Who did?—A. This Mr. Beckett.

Q. He was not a fisherman?—A. No.

Q. That is a trouble that is likely to occur with that sort of thing is it not?—A. Yes. I don't think he ever saw a lobster in a trap.

Q. Is it the case that fishermen in your neighbourhood have ever lost their catch of lobsters by the canners refusing to accept them?—A. Not down our way. East of us at St. Peter's they got more than they could handle the other day.

Q. That was due to an overflow of lobsters?—A. Yes.

Q. That was not done with the intention of punishing the fishermen?—A. No, not at all.

Q. Some fishermen have complained that the canners with a view of punishing them have refused to purchase their lobsters?—A. I never heard tell of anything like that. There was a boat came to me with lobsters and I was short of cans so I could not take the man's fish, I had not a can to put them in. So he went on down to Mr. Clark and packed them there. I think the fishermen went to work and packed them in the night.

Q. Would the fishermen have any other market for their lobsters if the canneries were closed?—A. They could not on the north side of the island.

Q. Should the shipment of live lobsters be favoured in preference to the canning of lobsters?—A. It would be more of a paying business if the facilities existed where it could be done. I have seen along the Nova Scotia shore little steamers going along

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and I have seen them putting the crates on board. Little steamers fetch them to Halifax where the lobsters are put into crates which are sunk between the wharfs.

Q. Is there anything else you would like to speak upon?—A. There has been a great deal of talk last year about illegal fishing at the west end of the island. They say they fished at the west end up to the time the snow flew. I don't see any use of protecting the industry if you let them fish when the snow flies. There have been hundreds of cases packed after the close of the season. There was one man told me here this spring that all his fishermen fished straight along, away down at the west end, and if that thing is continued what is the good of protecting the industry at all? It is no use of protecting the industry at one end and letting it go at the other. Illegal fishing has been done at the east end too, but not very much.

Q. Is there anything more you would like to say?—A. I would like to see a hatchery on the north side of the Island. I would be in favour of helping it by trying to get spawn lobsters to the hatchery and having the fishermen take care of those lobsters; carry them in their boats, put them in salt water and bring them ashore without hurting them and having them put there. I would favour that even supposing we paid a little extra on our license.

Witness discharged.

J. W. MACDONALD, fisherman, Grand Tracadie, called and sworn:—

By the Commissioner:

Q. Are you a canner?—A. I have canned lobsters, but not for five or six years.

Q. What are you doing now?—A. I have fished lobsters for the last few seasons.

Q. Do you fish on the outside shore?—A. Yes, out to sea.

Q. How long have you been engaged in fishing lobsters?—A. I fished lobsters for the last two seasons and I first fished 25 years ago.

Q. Was there much canning then?—A. Not so much as there is at present.

Q. There were not so many canneries?—A. No, sir.

Q. What number of traps do you fish now?—A. I fished last year 275. This year I did not fish so many. I only fished for the local market here, the large lobsters.

Q. In what depth of water do you fish?—A. The first season I fished in about 13 fathoms, and then moved in to about 9 fathoms.

Q. How long did you remain out in the deep water?—A. From the month of May to the 5th of June.

Q. When do you begin fishing generally?—A. It all depends on how long the ice remains. Just as soon as the ice moves we get out our gear. Some years we don't get started until the last of April or the middle of May.

Q. One year with another would it be the middle of May generally?—A. Pretty much.

Q. What is your experience with the lobsters, do you get your best run when you first begin?—A. In the month of May.

Q. You furnish lobsters to the local market; do you supply them alive?—A. Boiled.

Q. And ship them in here?—A. Yes.

Q. How small do you send the lobsters to market, you don't want small lobsters for that trade?—A. No, we could not sell anything under 8 or 9 inches, but we catch them smaller than that. I have fished mostly in deep water this year and they did not run as small as last year.

Q. Do you sell small lobsters to the canner?—A. No, sir, shipped everything in. The really small ones I let go.

Q. Do you sell your lobsters by retail or send them to some person in the city?—A. I send them to some persons and they retail them.

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What is the market worth?—A. The price runs from eight to ten cents a pound, twelve cents a pound sometimes.

Q. How would your lobsters run in weight?—A. They would average probably two to the pound; some a little over and some under.

Q. Do you get many large lobsters now?—A. Yes, the largest lobster I ever got was last year.

Q. What did he weigh?—A. $12\frac{1}{2}$ pounds.

Q. Was he caught in the trap?—A. No, sir, he got foul. I saw two others caught on a trawl. One weighed 11, and the other $9\frac{1}{2}$.

Q. What do you mean by a trawl?—A. A cod trawl.

Q. Was that in deep water?—A. About 13 fathoms.

Q. You fish in deep water for about half the season?—A. Half the season.

Q. And then you move in?—A. And then I move in.

Q. Does the run of lobsters seem to have passed then?—A. Yes, there is better fishing inside.

Q. And you follow the lobsters in?—A. Yes, sir.

Q. You expect to get as good a run of lobsters on the inside as on the outside shore?—A. No, we do not.

Q. What percentage of lobsters you catch would bear eggs?—A. Last year I did not get a hundred pounds out of my catch of 16,000 pounds.

Q. Then the percentage of lobsters bearing eggs is very small?—A. Very small.

Q. It would be naturally small because half the lobsters must be male?—A. They are.

Q. And all the female lobsters do not bear eggs and have them extruded?—A. It appears not.

Q. Then you do not catch them all?—A. No.

Q. So that in any case the percentage is small?—A. Yes.

Q. Some fishermen told us that his catch is 75 per cent but I cannot imagine that possible?—A. I do not understand that.

Q. Are there many others fishing like you for the local market?—A. No, I was the only one from our place this year.

Q. And you say this is the first time you tried it?—A. The first time I tried it.

Q. How do you send your lobsters in to the market?—A. Ship them in by train.

Q. There are no cold storage cars I suppose and no railway system?—A. No, sir.

Q. What would be your opinion about the live lobster trade if it could be carried on, is it the most profitable to the fishermen?—A. I believe it really would be, but as a matter of fact our lobsters would not warrant the live lobster trade here to any extent because I do not think as a rule they are large enough; I don't think we could do anything here in the month of May. In the month of June I don't think we would have a quarter of them marketable, that is suitable for the Boston market.

Q. What percentage of the lobsters taken here, or where you fish, would be below the 8-inch limit?—A. In the month of June more than half of them; in the month of May more than one-quarter of them would be below the limit.

Q. How would it be in July?—A. July would be about the same as June.

Q. Do you think it is safe to say that the later you fish the smaller the run of lobsters would be?—A. June and July seem to me to be about the same. That is on sandy bottom; on rocky bottom we get larger lobsters here. Our bottom is sandy and I think we get smaller lobsters.

Q. You think you get larger lobsters on a harder bottom?—A. That is what people who have fished on a rocky bottom tell me.

Q. What do you think about the traps in use, do you think it would be reasonable to insist on a greater width between the slats?—A. It naturally would for protection. I dare say it would to a certain extent.

Q. You realize the fact that it is necessary to do something in the way of protection in view of the fact that the industry is run down?—A. Yes.

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Q. What other means would you, as a practical fisherman, suggest for the better protection of the fishery?—A. There has been a good deal of evidence on that subject to-day. Of course you could have protection but the business would be really put out of existence if you had more protection than there is at present. The lobster business is a great business on this island now. There is pretty nearly a million dollars worth of fish sold on this island, principally from the result of lobster fishing, and it would be a great loss to the island if the industry were extinguished.

Q. At the same time it is an industry that requires protection, we have got to look to its future?—A. That is right.

Q. The great trouble with most of the fishermen is that they look only to the moment and not to the future?—A. That is right. I believe if there were hatcheries and pounds it would help to some extent.

Q. But the experience of everybody is that these things alone will not keep up the fishery if immature fish are destroyed. Of course they all help it. What would you think of the propositions already advanced? Among all the propositions the most feasible seems to be—I do not say it is the right one to adopt, and there is a difference of opinion about it—to do away with the size limit because of the impossibility, almost, of its enforcement, to insist on a little more space between the slats of the trap and shorten the season to the 1st of July.—A. That would be too many restrictions, I think, for the industry here. Of course it would be all right enough for purposes of protection.

Q. On the other hand, what will happen if you are allowed to take small lobsters which you are not supposed to do at present?—A. You cannot take them if you open the slats of your trap wider.

Q. A certain proportion of them will escape?—A. I would think, as far as I have anything to say, that a few days shorter either way would be better than having a restriction on the size.

Q. You would allow the lobster to be canned down to what size?—A. Simply as they are now, 5 or 6 inches. We don't get any under that size. In any case a 5-inch lobster is a pretty small one.

Q. Do you think that even with a shorter season and with hatcheries and pounds we could continue to catch 5 and 6-inch lobsters with impunity?—A. It does not seem to make any difference for the last 15 or 16 years. I did not fish for several years until last year. I cannot see that there was much difference in the size of the lobsters 15 years ago from what there is today on our north shore.

Q. In that case there is no use attempting to protect them by a size limit?—A. That is the catch was more. Of course that was only for last year. I could not say that the lobsters were any larger 15 years ago where I fished than they were last year, and I think I caught as many small ones. I did not catch as many lobsters 15 years ago. I only fished 8,000 lobsters 15 years ago, and I caught nearly 16,000 last year.

Q. With the same amount of gear?—A. I had twenty-five more traps last year.

Q. And did you have the same kind of traps?—A. I had what we call the parlour trap last year and the two headed trap, the old trap.

Q. Do you think the practice of stripping the eggs off the female lobsters by the fishermen is followed here?—A. I think it is.

Q. I don't see why the fishermen should do that because up to this year there was no refusal on the part of the canners to take berried lobsters?—A. Last year there was to a certain extent.

Q. What would happen if the canners refused to take berried lobsters, would the eggs be brushed off outside?—A. I have no doubt. I think some fishermen would be quite satisfied and be honest enough to let the spawn lobsters go, but when they found other fishermen fished them they would say: 'What is the use of our doing it'?

Q. Do you think there is any use in licensing the fishermen?—A. I don't know that it would help the matter much. Would it?

Q. Some people think that if we gave the fisherman a license and put a slip of

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paper in his pocket it would help him to be more honest?—A. I think you will want to have the good will of the fisherman as well as the good paper.

Q. The idea is that if the fisherman has gone through the form of taking out a license and carries it, he will become a sort of fishery officer on a small scale; he will observe the law himself and see that others do it?—A. You might get some honest enough to do that but as a rule I do not think you could. I would not have much faith in it for my part.

Q. What do you think of the present system of licensing canners, do you think the department are wise in restricting the number of licenses granted?—A. Well, I would say that in some localities where there are two or three factories in conjunction with one another and a certain amount of gear on the ground, there was no great necessity for another factory going in there, unless there was any other trouble arising. In some cases where there is probably no factory within five or ten miles——

Q. You would increase the number?—A. I would certainly say there should be a factory there if it is required.

Q. Is there any reason why any man who shows his ability to carry on the industry successfully should be refused a license?—A. I would not think so.

Q. What do you think of the method of encouraging co-operative canning amongst the fishermen?—A. I think it is a very good method.

Q. Would you advocate the furtherance of that system?—A. Yes.

Q. Do you think the product of the canneries should be inspected?—A. Yes, I would be in favour of that.

Q. All food products to-day are being inspected and canned lobsters seem to be the only one that is exempt.—A. Yes, I would favour that.

Q. What do you think would be the best way to get the fishermen to observe the law; how could that be done?—A. Some of these methods suggested by the other fishermen I think would be very good. One is to pay them so much for their berried fish and have them taken to a hatchery or pound.

Q. Do you think that is the only way of protecting the berried lobsters?—A. That would be one way. That was mentioned here and I think it would be a very good way.

Q. You think it is useless to expect to have the berried lobster returned to the water where she is caught?—A. I think so.

Q. Is there anything you yourself would like to suggest?—A. No, sir, only I would wish to see those hatcheries and pounds established for the benefit of the fishery; I think it would protect the fishery. Of course as regards the size limit it is a pretty hard matter to shut the business down on this island. It is an equally hard matter to see it going to destruction.

Q. You think that if the present law were strictly enforced, keeping the limit at eight inches and putting the berried lobsters back in the water, the canneries would have to shut down?—A. There is no question about that at all.

Witness discharged.

ALLAN MACDONALD, fisherman, Rice Point, called and sworn:—

By the Commissioner:

Q. How many years have you been fishing?—A. Seventeen altogether.

Q. Have you fished right along?—A. About five years of that I did not fish. I mean that I did not fish continuously for 17 years.

Q. Do you do any other fishing or do you confine yourself to fishing lobsters?—A. Confine myself to lobster fishing principally. I fish some herrings for bait in the early spring.

Q. Do you get all the bait you want for the lobster industry on the spot or have you to import herring?—A. We buy some from the fishing vessels sometimes.

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Q. Where do they get their herring?—A. At the Magdalens.

Q. You fish in the straits?—A. Yes, sir.

Q. In what part, to the east of Cape Traverse?—A. I fish west of St. Peter's island about three miles.

Q. Between that and Tryon?—A. Yes, sir.

Q. In what depth of water do you fish?—A. Seven, eight and nine fathoms.

Q. What number of traps do you fish?—A. My mate and I fish 300 traps, some years 350.

Q. What arrangement have you with the canner in your neighbourhood? How do you come to terms with him?—A. He simply gives me an offer for my fish.

Q. If you don't like it you don't take it?—A. That settles it.

Q. Do you think there is any competition in the matter; if one canner does not give you enough can you go to another?—A. Last year, that is 1909, they all seemed to have a set price.

Q. When is the fishing season with you?—A. This year from 26th April to 10th July.

Q. Which is the best part of it?—A. The first, the month of May is the best part of the fishery.

Q. Do you move in or do you fish always on the same ground throughout the season?—A. Pretty much; sometimes we move a few traps in close to the shore at the latter part of the season.

Q. Do you fish out until you meet the traps from the other shore?—A. No, sir.

Q. Farther up the straits they overlap in many places?—A. I suppose they do.

Q. But not down here?—A. No.

Q. Is there such a thing as a fishermen's union in your neighbourhood?—A. No, sir.

Q. Is there a large number of fishermen engaged in fishing in your locality?—A. There is a good few.

Q. How many canneries are there down there?—A. There are 5.

Q. To whom do you sell your catch?—A. The Portland Packing Co.

Q. Have you always dealt with them?—A. Very much. Well, for the last 15 years.

Q. They have a large cannery in that neighbourhood?—A. Yes, they have.

Q. How many boats fish for them?—A. About 12 this year.

Q. Do they own the boats?—A. Not all.

Q. Some men are independent fishermen and sell their catch to the factory?—A. Most of them are independent fishermen?

Q. Fishing their own gear and selling their catch to the company?—A. Exactly.

Q. Are you aware what price is paid generally?—A. Last year \$2.50 per 100 pounds.

Q. To the independent fishermen?—A. Yes, sir.

Q. And this year?—A. It is this year I mean. Last year it was \$3.50.

Q. There has been a drop of \$1?—A. Yes, sir.

Q. How are the fishermen generally paid?—A. \$3.50 by hundred count last year and this year they took it by hundred weight.

Q. What will the hundred weight of lobsters represent in count?—A. Well, according to the size—we lose considerably by weight.

Q. You prefer to sell by count?—A. Yes, sir.

Q. Have you any idea how many lobsters by count it takes to fill a case?—A. Well, sir, I have not. I never packed them.

Q. Have you any idea how many green lobsters it takes to fill a case?—A. No, sir, I never packed them.

Q. You told me you made your best fishing during the month of May?—A. Yes, sir.

Q. What run of lobsters would you have during the month of May as to size?—A. An average I should say of 7 or 8 inches.

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Q. And later in the season how will the average be kept up?—A. It will fall to an average of 7 inches. The lobsters are larger, fished earlier. There are certain pieces of ground that hold larger fish than others. I have seen two boats fishing within a mile or less than a mile of each other and have different looking fish altogether. Some have got large fish, other have small fish. But the fish on our side of the coast are much larger than on the north side.

Q. The month of May is the best fishing season?—A. Yes, sir.

Q. Would you venture to say that later in the season and in shoaler water you get a smaller run of fish than you do in May?—A. Yes, we do, in shoaler water. Well, in shoaler water we do, pretty much in June.

Q. When you are speaking of the average what size do you mean?—A. I mean 9 inches. I saw them that size close into the shore last June. Some years it seldom happens.

Q. How is the average size of the fish to-day compared with what it was when you began fishing; has it diminished?—A. Yes, sir, it has diminished.

Q. Considerably?—A. For the last two years it has diminished considerably.

Q. Is it the general practice of the fishermen in your neighbourhood to remain on the same ground all season, or do they move in nearer shore?—A. It is the general practice to remain on the ground.

Q. There is none of the fishing very deep there?—A. No, sir.

Q. Has the number of traps increased considerably in your neighbourhood since you first began; is there more fishing?—A. Yes, sir, the number of traps has increased.

Q. Has the number of canneries increased?—A. The number of canneries has increased also.

Q. And in what proportion have the traps increased, have they doubled?—A. They have doubled in 23 years, more than doubled.

Q. Do you fish the same trap now that you began fishing with 23 years ago?—A. The same style of trap only a smaller size.

Q. What trap do you fish now, the patent trap or the old fashioned double ender?—A. The old fashioned double ender.

Q. Only not the same sized trap?—A. A smaller sized trap and not so long, a lighter trap.

Q. Is the space between the slats now different from what it was formerly?—A. Pretty much the same.

Q. What space do you allow?—A. About an inch.

Q. Do you make your own traps?—A. Yes.

Q. Have you made the hoop in the end any smaller?—A. There were some years they tried it smaller but it does not seem to be any better. I would say about four and a half inches in diameter.

Q. Has the mesh always remained about the same?—A. Pretty much about the same.

Q. Do you think many lobsters escape from the mesh?—A. If the mesh is very large they do.

Q. What is the mesh generally made, extension measure?—A. I would say about three inches extended.

Q. Some fishermen have told us that they are making that mesh larger and it will allow a great many small fish to escape?—A. It does not take a very large mesh extended to go three inches. I am only just going by my own judgment. I have knitted the hoops of a certain gauge for years.

Q. Have the regulations ever been enforced in your neighbourhood?—A. Well, not along my coast that I know of.

Q. Do you supply berried lobsters to the hatchery?—A. They go into the factory.

Q. And they are stripped there for the hatchery?—A. Yes.

Q. Have you ever seen them stripped?—A. No, sir, I never witnessed the stripping.

Q. Did you ever see a berried lobster stripped outside?—A. No, sir.

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Q. Is it done at all?—A. I think not.

Q. I suppose when the hatchery was established there was no object in doing it, they brought everything ashore?—A. Yes, so far as I know.

Q. Did you expect the canner to take all you brought to him?—A. Yes, sir.

Q. Regardless of whether the lobsters were undersized or berried?—A. Yes, sir.

Q. What is your experience with respect to the fishery, do you think the decrease is still going on?—A. I don't think it is for the last few years, it is about holding its own.

Q. Is there any particular part of the season when you find more berried lobsters than at another time?—A. Well, I don't think there is.

Q. How many berried lobsters do you find out of every hundred lobsters?—A. The number is very small, I don't think there would be more than 5 or 6 or 8 lobsters out of a hundred.

Q. How do the spawn lobsters run, are they generally a good size?—A. Generally 7 or 8-inch lobsters, I should say.

Q. Have you ever remarked as to the size of the smallest lobster you have seen bearing eggs?—A. Seven inches I should say.

Q. There are not very many of that size?—A. A few. But there are not many of either class.

Q. Would you expect to find more spawn lobsters inshore than when you first began fishing off shore; does the number increase as the season advances?—A. I have never taken any notice.

Q. Do you think there is any part of the season when lobsters are unfit for food, when they should not be canned?—A. Yes, sir, the latter part of July.

Q. Now with regard to the matter of licensing canneries, do you think the present policy of the department in restricting the number of licenses is a wise and correct one?—A. Well, I don't know. I should think the number of licenses should not be restricted.

Q. You think that any man that shows his ability to pack should be given a license?—A. I think so. That is my opinion.

Q. You would need to have some rule governing a man's fitness; it would not do to give a license to anybody that imagined he could pack; what guarantee would you require from the fisherman that he was able to can properly?—A. I don't know.

Q. Do you think yourself there ought to be some standard of fitness required for a cannery?—A. Certainly there should be.

Q. We would like to get at the best way to do that; we are seeking your opinion and it is from gentlemen like you that we expect to get suggestions; should an applicant for a canning license be obliged to pack a certain number of cases—show his ability to put up at least 100 cases we will say?—A. That would be a very good idea.

Q. What would you think about limiting the amount of gear fished under a license; we are restricting the number of licenses, but we do not restrict the amount of gear?—A. I think the gear should not be limited.

Q. Do you think that any canner should be allowed to fish all the gear he could?—A. In my opinion he should.

Q. Do you not think that is apt to militate in favour of the large and against the small canner, that the latter is apt to be crowded out?—A. The small canner will get there when the large ones will not.

Q. What do you think about fixing the opening date of the season?—A. I would say the 20th April.

Q. Instead of the 26th?—A. Yes, sir.

Q. Why would you set any date at all?—A. Well, men risk a good deal going out in the ice.

Q. Is not that their own lookout?—A. It is.

Q. We are supposed to look at this from the point of view of the lobster entirely; why should you fix a date for opening at all; has not the date been fixed at the instance of those who do not want to lose their gear?—A. Yes, sir.

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Q. Rather than in the interest of the lobster? Nature has provided a time for commencing to fish, and if any man is willing to start out earlier than his neighbour let the other man look out. That is the way I would regard the matter myself. How long has the hatchery in this vicinity been in operation?—A. About three years.

Q. Has it been running sufficiently long to give any opportunity of judging whether it is doing any good?—A. Not as yet. We pick up some small lobsters some times, very small ones.

Q. And you think they come from the hatchery?—A. Yes. These small lobsters drop out of the trap.

Q. Do you think the number of hatcheries should be increased?—A. I think so.

Q. Is there any opportunity in your neighbourhood for establishing pounds? A good many people think the pound is superior to the hatchery?—A. There is Nine Mile Creek, but it is too large to be dammed.

Q. Is it used by vessels going in and out?—A. It was at one time, but the channel is filled up now.

Q. What depth of water is there inside?—A. There is none at low tide at present.

Q. We must have at least a couple of fathoms?—A. It is all mudded up. There have been small schooners going in and they had to dredge it out, but for the last 12 or 15 years nothing has been done and it has filled in again.

Q. What do you think would be the effect of a strict enforcement of the present size regulation; if you were confined absolutely to 8-inch lobsters and had to return all the berried lobsters to the water what would happen?—A. We would give up the business.

Q. It would put you out of business; would it put the canner out, too?—A. Yes, sir.

Q. It has been suggested by different people that the best way to overcome the present difficulty would be to shut down for a term of years all over; what would you think of that?—A. It would cause a lot of young men to leave the country I think.

Q. Therefore you think that proposition is out of the question?—A. I think so.

Q. The Lobster Commission that came around in 1898 reported in favour of closing down by sections; what would you think of the proposition?—A. I would not think anything of that.

Q. It has been suggested again as another alternative that we should do away with the size limit, enforce the berried lobster regulation—where it is possible to establish hatcheries or pounds to do so, but in any case insist upon the berried lobsters going back in the water—and shorten the season by a few days; how would that suit you? Would that be the most reasonable way out of the difficulty?—A. I would not mind the season being shortened ten days.

Q. How would that affect your neighbourhood?—A. We would like if we can start when we wish, or have the season from the 20th April to the last of June.

Q. What do you think of the practice of having different size limits and different seasons in adjoining districts?—A. I don't see what the reason is.

Q. Professor Prince, who is supposed to be the best authority in the country on the matter, has always been in favour of opening the season on the 1st of January and limiting it some time about the 1st July and making that a universal season all over the gulf?—A. I don't see why it would not suit other parts of the island as well as along where I live.

Q. Do you think there are any steps that could be taken to induce the fishermen to be careful in their observance of the regulations, especially with regard to the berried lobsters; they should surely realize that they cannot expect to continue the fishery and destroy the parents with their offspring?—A. It is a pretty hard thing to get at.

Q. How would you get at it?—A. Enforce the law.

Q. How would you enforce the law; who would you enforce it on, the canner or the fisherman?—A. I think the berried lobsters should be all caught up and the berries taken off them and have pounds to put the lobsters in.

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Q. Do you think if the fishermen were licensed they would be more apt to obey the law and feel that they were more responsible?—A. I don't think it would be any good.

Q. Do you think that the product of the cannery should be inspected?—A. Yes, sir.

Q. Do you think there would be any advantage in sending somebody around during the winter, or whatever season was most acceptable, to meet the fishermen and explain to them the necessities of the case and induce them to promise to observe the law; would there be any good in doing that?—A. There might be in some cases.

Q. Not in all?—A. Some of them would forget about it.

Q. Do you know anything about shipping lobsters to the market alive or frozen?—A. I have read about that but we have not got the facilities here for doing it.

Q. Do you think where it can be done it should be encouraged?—A. Yes, sir.

Q. Do you think the fisherman could get a better price for his lobsters by selling them for shipment alive than he would from the canner?—A. I certainly think so.

Q. Is it to your knowledge that any fisherman has lost his catch of lobsters by the canner refusing to accept them?—A. No, sir, not to my knowledge.

Q. Do you think there is any combination on the part of the packers to keep down the price paid the fisherman?—A. Oh, I don't know. I have heard it stated there was a combination.

Q. Do you think the fisherman would make more money if he were allowed to can for himself?—A. Yes, sir, I think so.

Q. Do you know anything about the fishing season to the westward of you, beyond Cape Traverse?—A. Their season is later than ours.

Q. A good many fishermen have suggested a change in the season. They say they would save all the spawn lobsters and would have better fishing if they began on the 15th of July and ended the last of September. You fish close to where those men fish do you not?—A. I wonder at them packing fish at that time of the year, the last of July.

Q. You would not recommend packing then?—A. No, sir, I would not.

Q. When could you begin, how soon do the fish commence to get all right after shelling?—A. They tell me—of course I never fished in that part of the season—that in September they are good.

Q. Do you think it takes more lobsters to fill a pound can in the fall than in the spring?—A. I don't know, I have not had any experience in that. I have heard them say the lobsters pack better towards the last of September than at any other time in the year. I have heard a lot of fishermen say so around the coast.

Q. Do you think there is anything in the proposition to restrict the fishing to a certain depth of water, not allowing the traps to fish in water that is too shoal?—A. I don't think it makes any difference where they are caught so long as you catch them in the spring.

Q. The idea is that by fishing in very shoal water the fishermen get a very unfair proportion of small fish?—A. It seems strange the size of the fish all around this island.

Q. Do you not think that is due largely to the extent of the fishing in certain places?—A. In Malpeque I have seen very small lobsters. I have seen them that size (illustrating by a gesture).

Q. How long would that be?—A. Four and a half to five inches.

Q. Is there any statement you would like to make yourself?—A. I think not.

Witness discharged.

SIMON PINEAU, canner, North Rustico, called and sworn:—

By the Commissioner:

Q. Is your cannery at the outside shore?—A. Well, it is inside the harbour.

Q. How long have you been engaged in canning?—A. Seventeen years.

Q. Do you operate more than one cannery?—A. No.

Q. Have you always operated in the same place?—A. Always in the same place.

Q. Are there many other canneries in your neighbourhood?—A. There are three others now. There is the Portland Packing Co., Peters and this co-operative cannery.

Q. What number of boats do you employ?—A. When I started at first I ran 4. I run sometimes 8 and as high as 17.

Q. How many have you now?—A. I think 9 this year.

Q. Do you supply entirely your own boats and gear or do you buy?—A. Two boats we supply with gear.

Q. The other boats are owned by the fishermen?—A. They own their own gear.

Q. And sell their catch to you?—A. Yes, sir.

Q. On what lay?—A. So much a hundred pounds.

Q. What was the price this year?—A. If it makes no difference I would just as soon not be asked that.

Q. Was the price lower this year than last?—A. Lower.

Q. That was due to the fall in the market I suppose?—A. The fall in the market. We gauged the price of lobsters in the spring by the market.

Q. Who fixes the price? Does the canner do that himself, or is it matter of arrangement between him and his fishermen?—A. Well, sometimes the canners arrange it and some times the fishermen among themselves. They arrange the price themselves for their own side, and we have got to arrange a price for our own side.

Q. In the final outcome it is a compromise from that?—A. Just so. If we had to pay the price they wanted last spring we would have been in a hole badly.

Q. Where do your boats fish?—A. They fish from Rustico west along the shore.

Q. How far do they go out?—A. I would say they fish as far as 13 fathoms of water.

Q. How far off shore?—A. In the vicinity of two and a half miles.

Q. There are none of your boats fishing inside in the harbour?—A. Not in the bay.

Q. What is their practice with regard to the fishery; the fishermen put out their traps when?—A. Whenever we can get a chance clear of the ice. Of course up to last year there was a season commencing the 20th of April. If the ice was away before that we could put out our traps.

Q. This season fishing commenced on the 26th April?—A. 26th April.

Q. When there was no limit did you go out earlier?—A. We did not make a practice to go out quite so early, but we got more chance this last few years and we go out earlier.

Q. How does the present opening date, April 26th, meet your case?—A. I don't approve of it at all.

Q. Who fixed that date?—A. As I understand it was fixed by Act of Parliament here in our local legislature.

Q. There must have been some opinion behind that date or it could not have been carried?—A. The fishermen and packers in general were not consulted. I spoke to some of the members in Charlottetown and I said: 'Leave things alone. Everything is all right as far as we are concerned.'

Q. Do you fish all through the season in the same depth of water?—A. No, sir.

Q. Your fishermen move in?—A. Move in, yes.

Q. About the middle of the season?—A. Well, yes, they commence to move in about that time, the 1st of June.

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Q. Do the fishermen move in when the run of lobsters has passed them?—A. The lobsters move inshore into shoal water.

Q. And they simply move in to follow the lobsters?—A. Follow the lobsters.

Q. What is your experience with regard to the nature of the fishery? When is the best period of your fishing?—A. From the time we start in, say to about the 25th of May, it is the height of our fishery.

Q. What percentage of fish will you take in that part of the season; would it be half your catch?—A. Almost. I am talking from memory now.

Q. And do you get a better run of fish during that time than later in the season?—A. Yes, we get a better run of fish.

Q. Will the lobsters be as full of meat?—A. No.

Q. Will 100 fish then give uniformly as large a return as 100 fish later in the season?—A. No, the month of June is when we find the lobsters turn out better.

Q. Have you come to any conclusion yourself as to the percentage of breeding lobsters you find in the catch?—A. Well, I would say they would be between two and three per cent.

Q. Is it greater at one time than at another?—A. I think along about the 1st of June.

Q. That is about the time they are coming in?—A. Yes, there are more berried lobsters.

Q. What is the average size of the berried lobster?—A. Well, I would say somewhere about 9 and 10 inches. They are mostly all about 8 inches any way.

Q. Some gentlemen have told us they saw berried lobsters 6 inches long?—A. To the best of my memory I never saw them.

Q. Where count has been kept it has been found that there is one seven-inch lobster in about 100,000; there are very few even under eight inches?—A. No.

Q. Of lobsters eight and a half inches there begin to be more. Would you say that it requires an increased amount of gear to-day to make up your pack?—A. Yes.

Q. That is compared with what you could have fished in the beginning of the fishery?—A. Yes.

Q. To what do you attribute the falling away?—A. The only way I can account for it is because the lobsters are fished out.

Q. Have the regulations ever been observed, do you think, with regard to berried and undersized lobsters?—A. Well of course the berried lobster regulation was enforced last year, we respected the law last year. Before that I don't know that it had very much effect.

Q. Do you think that since you have tried to respect the law the fishermen have practised rubbing off the berries outside?—A. I am under the impression that they do, that is my impression.

Q. You recognize the fact, of course, that it must be wrong to destroy the breeding fish, to take fish that are undersized and have not reached the age at which they can reproduce themselves? What is your solution of the difficulty, what regulation should be adopted to put a stop to the practice?—A. It is a hard matter. The only thing that I see in order to preserve those berried lobsters would be to give the fishermen some inducement to save them.

Q. How would you save them?—A. The only means that I see is by saving the lobster; by having a hatchery somewhere and depositing the spawn.

Q. Saving the eggs in that way by hatching them out?—A. Yes.

Q. Various propositions have been made with a view of saving the fishery; to do away with fishing altogether for a term of years, to fish only in sections of the coast, to do away with the size limit, save the berried lobster and somewhat shorten the season; which of these propositions do you think the most feasible?—A. To bring back the industry to a good footing?

Q. Yes.—A. The only proposition I would make would be to close down universally for a term of years.

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Q. That would be the clearest, shortest and very best way would it not?—A. Yes.

Q. But there is an immense amount of capital involved, what would become of the gear and what would the fishermen do?—A. There is the question.

Q. We have to think of the fisherman too?—A. Yes. Of course the only way we could bring the fishery back quickly to a good footing, in my opinion, would be to close down. Still it would be a hard thing, looking at it from the standpoint of the fishermen.

Q. What would you think of the third proposition to do away with the size limit, because it seems always impossible to enforce it?—A. It would mean the closing down of every factory, at least in our section, if you enforced it.

Q. What would you think of the alternative proposition; doing away with the size limit, protecting the berried lobster in one way or the other, and shortening the season by ten days; do you think that would be the most reasonable of the several propositions and the easiest on the industry?—A. The way that I look at it would be to establish hatcheries in different parts of the island and shorten the season by ten days.

Q. Do you think the fishery could still be carried on successfully if we shortened the season? Some people say: 'If you shorten the season it will run us out altogether.'—A. I don't think so, because the way I look at it, that is the time of the season the lobster casts its shell and the lobster then is not fit for human food.

Q. Is it not the case that a great many people do not fish for the last ten days of the season?—A. In some cases we don't. We follow the business ourselves to the very last day and the lobsters we get in July are mostly soft shelled.

Q. Then shortening the season would not put you out?—A. It would not put me out.

Q. And you would expect in a few years to reap the benefit by an improved catch?—A. Yes.

Q. What do you think of the proposition to license the fishermen?—A. I believe that is all right enough. I believe any one packing lobsters ought to pay a license.

Q. But in this case it is not the packer but the fishermen it is proposed to license; do you think it would make any difference in the fisherman's desire to observe the law if he had a license?—A. I think it would make some difference.

Q. A certain proportion of the fishermen would be protected by it?—A. Yes.

Q. Do you think the majority of the fishermen are satisfied with the price paid them?—A. Well in some cases they would not be satisfied even if they got more. I know that.

Q. Have the fishermen got all there was in it?—A. Yes.

Q. Do you think there is any time of the fishery when the lobsters are not fit for food?—A. I think so. I believe in the month of July when they cast their shell.

Q. Were you here all morning?—A. I was here part of the morning.

Q. You heard the evidence given; how does it tally with most of your views?—A. I heard a couple of witnesses. There are some views that don't tally very well with mine.

Q. On what point would you differ from some of the other witnesses?—A. I believe that canneries should be of a certain type of building, equipped in a certain way to cost a certain amount of money, that the thing might be done decent and respectable.

Q. That is you would have a standard?—A. Yes, and I believe in having the goods inspected too and put up by competent hands.

Q. How would you establish that standard cannery, what would you begin by doing? You would have to say that a canner should can at least a certain quantity of lobsters?—A. Of course I would not take it that way, because the failure of fishing in one year might make some difference, but I would say the canner ought to be worth a certain amount of money, and that no one could pack lobsters unless their factory was up to the standard.

Q. They should have a certain capital to go into the business with?—A. Yes.

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Q. If they could do that would you give a license to any man who showed his ability to conform to the requirements—A. Yes.

Q. Do you think that the canner could stand an increased fee to pay for the berried lobsters to be purchased from the fishermen?—A. Well, of course—

Q. Outsiders, you know, claim that if you have got to protect the lobster fishery and spend money on it, the industry should pay for its own protection. The fee at present is an insignificant one.—A. Of course it does not amount to very much. It would be of interest to the packer.

Q. A good many packers have said that they were willing for their part to pay an increased fee with a view of having that money spent in the purchase of lobsters for breeding purposes.—A. If all the canners would volunteer and pay the cost I guess that would be all right enough.

Q. The license fee would be fixed perhaps at 5 or 10 cents instead of 2 cents. They would not have to pay it?—A. But I mean if they would distribute the lobsters, if they would give you the berried lobsters and not use them for canning. The way I look at it, if the department would pay the price for the berried lobsters it would be an inducement to the packer as well as to the fisherman to have those lobsters distributed to the hatchery.

Q. Could not the average canner be trusted to do that?—A. Yes, there are plenty that could be trusted but there are some that probably could not be—

Q. There would be some as bad as the fishermen?—A. That is the way I look at it.

Q. Do you know anything about the live lobster trade?—A. No.

Q. It could not be carried on where you are?—A. No, the facilities do not exist.

Q. Where the facilities do exist do you think that trade might be encouraged?—A. I do not think so. Our transportation facilities are not just what they ought to be.

Q. I do not mean here. Take the coast of Nova Scotia where the larger part of the lobsters are being exported. Where that is the case do you think it would be better to encourage that branch of the industry and shut down on the canning?—A. I think so because they have got the facilities there that we have not got here.

Q. Do you think the live lobster trade brings a larger return to the fisherman than selling to the canner?—A. I think so. I was always under the impression they could make more money out of it.

Q. What do you think about the practice of giving licenses to aliens?—A. I am under the impression that is not right.

Q. At all events you think no new licenses should be given to aliens?—A. Sure.

Q. Of course the people from the United States are really the pioneers in the business over the greater part of the coast. They began it first, and they employ Canadian labour and their traps are made in Canada, the only thing they have in it is their capital. You think that in future where an alien and a Canadian are applicants for a canning license, the Canadian should have the preference?—A. The Canadian should have the preference.

Q. Is it to your knowledge that there is any combination on the part of the packers to keep the price down?—A. No, sir, not to injure the fishermen. The packers, like other people, sometimes sit down and make the price as far as the market is concerned, but not to injure the fishermen or to take any advantage whatever.

Q. Have you had any experience of hatcheries at all?—A. No, sir.

Q. There are none in your neighbourhood?—A. No, sir.

Q. But you would favour the establishment of hatcheries?—A. Yes, sure.

Q. Is there anything else you would like to state?—A. The only thing I would like to state is this: In the spring of the year there ought to be no time fixed. I heard it stated a while ago that Professor Prince was in favour of commencing the 1st of January. I think that would be a very good move, from the very fact that a man could begin to fish when conditions permitted. It would depend altogether upon the ice. If the ice was off by the 15th of April, a man could set his gear if he wanted to.

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I think there ought to be no limit in the spring of the year. We cannot begin now before April. I would be strongly in favour of cutting off ten days in July for the sake of the protection to the industry. I also strongly advocate establishing as many hatcheries as possible on the island.

Witness discharged.

GEORGE S. LARTER, canner, Cove Head, called and sworn:—

By the Commissioner:

Q. Are you speaking as a canner or a fisherman?—A. As a canner.

Q. Where is your cannery situated?—A. At Cove Head on the north side, between five and six miles from Rustico.

Q. Is it on the outside coast?—A. Yes, on the outside coast.

Q. You heard the evidence given by the previous witnesses?—A. Yes, sir.

Q. Does it meet your views fairly?—A. Well, pretty much.

Q. What number of boats do you fish?—A. Twenty boats.

Q. How many of them do you own and how many are hired?—A. There are 12 that find their own gear and as to the balance we find it.

Q. Have you pretty much the same arrangement as the other canners?—A. Yes, pretty much the same.

Q. This year the price is a little less than last year?—A. Yes, it was less than last year.

Q. How do you fix that price?—A. We hire the fishermen in the winter time and they mostly fix the price themselves.

Q. Are you obliged to give them what they ask?—A. Just whatever they ask they are to get.

Q. Is it to your knowledge that there is any combination among the packers?—A. Not a bit. I think the canner gives more than he should.

Q. In what depth of water do your fishermen fish?—A. All the way from 14 fathoms into a fathom.

Q. They begin I suppose by fishing outside in the early spring?—A. Fourteen, 12, 9 and 7 fathoms according as——

Q. When do they get out as a rule?—A. Whenever the ice goes.

Q. One year with the other what would you say?—A. I have run lines on the north side on the 30th of April.

Q. And caught fish?—A. And caught fish. The ice came in once and went away again.

Q. Did you lose your gear then?—A. Not a trap, it did not come in far enough for that.

Q. What is your opinion as to the time for opening the season?—A. The earlier we could get at it the better, just according as the ice allows.

Q. Have you any idea how it come to pass that an opening date was fixed?—A. None at all.

Q. How long do you fish in deep water?—A. To the middle of June.

Q. And then what happens?—A. Then the fishermen start shifting in their gear.

Q. Into shoal water?—A. Into shoaler water.

Q. What is the difference in the quality of fish you get in deeper water in the earlier part of the spring, compared with what you get late in the season?—A. You get the lobsters smaller, later on in the season. According as you shift in your gear you get smaller lobsters.

Q. Do you think it is fair to say that the shoaler the water the smaller the fish?—A. The smaller the fish.

Q. What proportion of the fish you take would be below the size limit of 8 inches?—A. There would be a lot.

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Q. What percentage of the fish you take throughout the season would be egg-bearing lobsters?—A. Oh, well, I would think there would be about—I could hardly tell you. There is a big lot this year. It varies one year with another.

Q. It varies with different years?—A. Yes.

Q. How are the female lobsters as a rule, are they good sized lobsters?—A. Good sized lobsters all the way from 7 to 10 inches.

Q. You would place the limit as low as 7?—A. Yes.

Q. What has been the practice in the past with regard to the regulations; have they been observed at all?—A. No. Well, some years ago they were followed up pretty strict. You could not take anything less than a 9-inch lobster.

Q. Were they able to follow up that regulation strictly?—A. Yes, sir.

Q. Were people fined and punished, do you remember, for the violation of the regulation in those days?—A. Yes.

Q. Has anybody ever been fined since?—A. No.

Q. What would happen if the canner refused to accept the berried and small lobsters?—A. The fishermen would not fish.

Q. And would the canner shut down?—A. He would have to shut down.

Q. Do you think it is possible to enforce the size limit regulation?—A. I think so, by having some hatcheries built.

Q. But the hatcheries would not have anything to do with the enforcement of the size limit?—A. They should look after it.

Q. Do you think it should be done?—A. It could be done. Fine every fisherman who violates the law and forces the packer to take those lobsters.

Q. Do you think the industry could be kept going if you did that?—A. It could. I did endeavour this summer to take no spawn lobsters and when the fishermen came in, the wash-boards of the boats were painted with spawn.

Q. What did you do?—A. I would have to take the lobsters because there was no spawn on them; the spawn was all washed off.

Q. You say these regulations are difficult to enforce; with your knowledge of fishermen how do you think you could induce them to obey the law?—A. They are a pretty hard crowd to get at. I don't know how you would get at them.

Q. You have heard the evidence given by the other witnesses. We want to protect the lobsters, the female lobster especially; what suggestion could you offer to bring about that result?—A. Make the packer take the name of every fisherman that lands a spawn lobster when he delivers them, and then let him give in his name and have him fined.

Q. You would put the law in force rigidly?—A. For the fishermen do as they will, that is about the size of it. The packers take the lobsters when they ought not to take them and when they cannot handle them.

Q. You think if you refused to take spawn lobsters from the fishermen, they would go to other packers who would take them?—A. Yes.

Q. Have you known that to be done?—A. I have not, but I know they do it.

Q. Various propositions have been made, including one to shut down altogether for a certain number of years?—A. You might just as well build a lot more poor houses.

Q. Another proposition is to shut down by sections?—A. That does not make any difference. The fishermen would have his gear there with no buoys on it, and would go around with his anchor and pick it up. It would not make a bit of difference.

Q. A further proposition is to do away with the size limit?—A. I would make them not take any less than 5 inches or pass a law for the fisherman not to fish in any less than two or three fathoms of water.

Q. You would keep them out in deeper water?—A. In deeper water. Then the packer saves his gear.

Q. Do you think we could protect a larger number of smaller lobsters by increas-

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ing the space between the slats of the trap?—A. No, you could not. The only way to protect the small lobster is not to allow the fisherman to fish in shoaler water than two or three fathoms. You follow them in when the tide goes out and you can see their traps on the shore.

Q. There is where the damage is done?—A. There is where it is. The packer loses the gear, but where the man finds his own gear he will keep them out in deep water.

Q. The man who furnished his own gear would be careful where he put it?—A. Well, I have a man out there who never shifted his gear at all. He has good fishing, although it was slack for a few days, and lost no gear.

Q. Do you think you could stand a shortening of the season?—A. I don't believe it. The only way to protect the fishery is not to allow the fishermen to fish in anything under two or three fathoms of water.

Q. That is your sovereign remedy?—A. There are certain times, between the 15th and 20th July, when the lobsters are sick and commence to shell, although you get soft shell lobsters in June. This year there have been more spawn lobsters in May.

Q. How would knocking off the last ten days of the season affect you; would it put you out of business?—A. It would if it were like this year. We lost about ten hauls on account of the harbour. The fishermen could not get out when the Rustico boats were out. There is a harbour to get out of and when the boats would get out the tide would follow, and they would be lying outside with the lobsters dying in them.

Q. Do you do any fishing in the harbour?—A. No.

Q. What do you think of inshore fishing?—A. It would do in some places.

Q. Do you think there is a notable proportion of small fish taken inshore?—A. Down in the Magdalen Islands there are big lobsters. I have been down to Labrador and Anticosti.

Q. Have you fished in Anticosti?—A. The first time the short season came in I was working for John A. Matheson.

Q. Where had he a cannery?—A. In Campbellton and Big Miminigash.

Q. He had none in Anticosti?—A. He went down in a schooner with Captain Bill Larkin, and put out some traps there and remained a couple of days.

Q. What sort of lobsters did you get at Anticosti?—A. They were fair sized but when we got down to Washeecootai they averaged one to a can. But those lobsters would not trap. We used to leave the doors open to see if we could get them.

Q. You would not get those lobsters in your traps here?—A. No. We would get an odd big one on the hooks coming up.

Q. Do you think a considerable proportion of large lobsters are left outside because they will not trap?—A. Yes.

Q. What is the size of your hoop?—A. All the way from three to four inches.

Q. You coincide with most of the evidence given by the other gentlemen?—A. Yes. Of course on the south side the fishing is different from what it is on the north side.

Q. You have fished on the south side?—A. Yes.

Q. In what part?—A. I was one summer at Hanbury's factory in Canoe Cove, near St. Peter's island and I worked another summer at Livingstone.

Q. How do you find the fishing in one place compared with another?—A. They are larger.

Q. The fish on the south shore are larger?—A. Yes, they average three to a can.

Q. And what would the average be now on the north shore?—A. About $4\frac{1}{2}$ and $4\frac{1}{2}$ pounds.

Q. Is that the number of pounds of green lobsters to a can?—A. That is what it takes to make a pound.

Q. And how many lobsters would it take to make 100 pounds with you?—A. Sometimes we take 250 and 300 according to the season. You may strike a May month

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when the lobsters are full. You may strike another May when the lobsters are empty, nothing in them.

Q. What is your experience in regard to the berried lobsters? I have heard it said to-day that the berried lobsters do not turn out as well when you come to can them. Most of our witnesses say the berried lobster is the best lobster they get?—A. They are full and hard to get out of the shell.

Q. No doubt that is why a great many persons object to throwing them away. A great many witnesses have said, they are the best lobsters they get?—A. If you get a 4-inch lobster it is full. A lobster has got to be full before it shells. It has got to be full so as to burst the shell in order to get out.

Q. As a rule four and five inch lobsters turn out very good meat?—A. They turn out pretty good meat and they look better than the large sized fish.

Q. And they give more cans to the hundred?—A. That is to the hundred pounds. I was talking to John A. Matheson at the factory, and he was telling me they turned out seven cases out of 1,000 pounds on the south side.

Q. Is there anything more you would like to state?—A. I would like to see a law passed not to allow the fishermen to fish in anything less than from two to three fathoms of water.

Q. Would that be easy of accomplishment?—A. Yes.

Q. You would need boats afloat to have that carried out?—A. Every man that furnishes his own gear marks his own buoys and puts his own name on it. I would pick them up right along and put a stiff fine on them. There is no use cutting a man's gear away.

Witness discharged.

LETTER FROM COMPTON & COMPANY.

Mr. WARBURTON, M.P., handed in the following communication from B. Compton & Co.:—

BELLE RIVER, P. E. ISLAND, August 2nd, 1909.

MESSRS. WARBURTON & PROWSE,
Charlottetown, P.E.I.

DEAR SIR,—We received your invitation of the 28th ulto. to attend meeting *re* lobster industry and as we cannot conveniently attend we are writing the following statements hoping that this will be satisfactory, and giving our word of honour for the truth of what we have to say.

We are a company of seven men under the name of B. Compton & Co. Each of us runs a boat with the help of a hired man.

We jointly own all fishing gear, boats and plant, and share equally expenses and profits.

We have been in the lobster business during the past twelve years and some of our older members have been engaged in the industry, with the exception of a few lapses, ever since it began here.

We catch most of our lobsters 5 to 7 miles off shore on a 12 fathom bank lying just across the 20 fathom mud channel. Balance caught along shore 2 to 4 fathoms.

We have read much of the evidence taken before the Marine and Fisheries Committee during its session of this year and notice that conditions as described by witnesses from other sections vary much in some respects from what we find them here.

The most notable instance was that relating to the particular part of the season when the greatest percentage of spawn lobsters were found. Most witnesses testified that spawn lobsters were found in much greater numbers during latter part of June and 1st of July, whereas we catch most spawn fish during ten days in the latter part of May or earlier in an early season.

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During this while we found as high as 20 berried lobsters in a boat's catch of 300. They then became scarcer until hardly noticeable or from 1 to 5 in the boat load towards the end of the season.

Another point in exception was that we did not find the traps near shore in 2 to 4 fathoms to take more spawn than those in deep water even at the last of the season.

We always thought here that the spawning and casting of shells was done down in the mud channels where we never set traps excepting as an experiment. I might remark here that one witness from N.S. testified that lobsters there had no use for mud and we tried single traps here in the deepest mud we could find (22 fathoms) and caught 2 to 7 lobsters in each of 3 traps set. But under these conditions the traps stuck so fast in mud and seaweed and the depth of tide flowing against the buoy lines made the hauling of traps there so impracticable that we did not pursue it.

We very rarely see a soft shelled lobster (never at all from the 12 fathom grounds) and the quality of the meat holds good right to the last though in quantity it does fall off somewhat in proportion to weight of shell.

As a rule it requires 200 lbs. (of all sizes) in shell to furnish meat for a 48 lb. case, the lowest being 190 lbs. in early spring to 210 lbs. in July.

We find small lobsters to give a larger proportion of meat per weight in shell than large ones.

The only defective meat we find is that of the few old crustaceans which have ceased to cast their shells and are barnacled.

We do not feel alarmed about the extinction of the lobster supply as one-half the lobsters left each season are females which must produce at some time during the year as they seem to all carry spawn inside if not out on the tail, and the berries on very few of these would represent a season's catch for a cannery and for the standing supply leaving the entire balance to account for the ravages of other fish upon them. But, if the department must enforce laws to preserve the industry, the one main point, in our opinion, is to devise some means of inducing the fishermen to liberate all spawn lobsters on the grounds or rather near the fishing grounds, in deep water where they would have a good chance of hatching before being again taken.

We are quite sure here that our fishing grounds are not the places where our supply comes from as they come in shoals several times during the season, nearly always from the west or up the straits, and are known to each fisherman as the 'new shoal' as they move across the lines (or trawls) in turn at the rate of half to one mile per day.

Some of the shoal remaining around each trawl and daily becoming scarcer as they are caught off the grounds. These trawls then do only poor fishing until another shoal arrives.

One puzzling feature is that whereas a few years ago we caught large lobsters in deep water and small reddish ones in shallow water we now have reversed conditions and the lobsters coming inshore are dark bluish ones as large as were caught here when the business began years ago, and the bank or deep water lobsters have now dwindled in size though they do about the same in numbers.

We think that the department would save much expense and further trouble, while losing little, if any, benefit to the lobster industry, if they *wiped the size limit regulations off the books* as the sizes vary so much in so many different sections that it would be very difficult to fix any set of laws which would approach giving all-round satisfaction.

In our own case we do not waste time in taking the few very small lobsters out of the traps but leave them to escape, which they do before next day.

As we pack our own lobsters they would be of small benefit if taken to the factory so we 'let them grow.'

We would call a 5-inch lobster 'small' and our lowest average measured $8\frac{1}{2}$ inches for the boat load.

We believe that nearly all grounds are fished to their full *paying* capacity and

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that whereas there may be a profit in a certain location for one firm there would not be satisfactory returns for either if another firm started there too. So we would favour leaving the license system as it stands, giving new licenses to fishermen *already in the business* in order to protect them from unjust pressure by packers.

We do not think that a law restricting the number of traps used could or should be enforced, as the law could be easily evaded in getting out the traps and in counting them afterwards, and besides some boats can and do use 300 to 500 traps through the advantage of hauling them out of shallow water and close to shore, *for the same or less lobsters* than another boat will catch with 200 or 250 traps by going several miles to sea and having to contend with greater difficulties in depth of water, tide, distance, &c. Each boat runs all the traps that time and energy will allow and a law bearing on the number of traps might not affect the deep water man while it would cut the other's profits off entirely.

As the department is aware, the law bearing on spawn lobsters is easily evaded by washing the spawn off out at sea so that an officer *could not distinguish* one so treated from another which had just finished hatching.

So the only way left is for the government to buy (at the regular price) the spawn lobsters caught and have them liberated if not taken to a hatchery. These lobsters should not be taken ashore in any case, but as the fishermen could not be depended upon for the number they had caught and liberated we can only think of one remedy left, viz.:—to engage one of the fishermen or packers at low wages and place him on oath to receive and pay for all berried lobsters landed in *good condition*, then to take them out to sea and liberate them in a safe depth of water.

A lobster heavily dropped into a boat and left under the sun for several hours would stand a poor chance of surviving afterwards, so these berried lobsters would need careful handling.

As a matter of fact, the writer has liberated a great many of the spawn lobsters caught and it seems quite easy to let them go when one begins the practice, but an occasional one will escape notice and come ashore with the rest as they are always 'back up' in the trap, and are taken out in great haste there being always competition between the boats to 'get thro first.'

Allowance should be made in the law for two spawn lobsters to a boatload on account of the difficulty of detecting them at all.

Trusting that our evidence may prove of some value in framing satisfactory laws for the future.

We are,

Yours truly,

B. COMPTON, & CO.

P.S.—One of the greatest menaces to the lobster business here is the increasing crab pest. Thirty years ago the fishermen were glad to see a crab which they would put on as lobster bait, but of late years they are swarming the grounds in millions and are a great nuisance in the traps cleaning the bait off daily and coming in such great numbers as to almost block the trap solid inside and many hanging on the outside.

Lobsters and crabs are enemies and are never found together in plentiful numbers. Taken fish to fish the lobster is easily master, but when outnumbered 100 to 1, as they quite often are, the lobster does not seem eager to get into a trap where he will be found buried under a seething mass of his enemies.

In the season when crabs are most numerous, and on the part of the fishing ground where found most plentiful, the lobster is almost nil, then again, when the lobsters increase the crabs give way.

Yours,

B. C. & CO.

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NEWTON McLEOD, canner, Park Corner, called and sworn:—

By the Commissioner:

Q. Where do you carry on canning?—A. Park Corner on the north side of the Island handy to New London Harbour.

Q. Do you control more than one cannery?—A. No, sir.

Q. What is the capacity of your cannery; how much did you pack this year?—A. I have only packed something less than 400 cases this year.

Q. What is the best pack you ever made?—A. Some years we packed 2,400 cases. That is a good many years ago.

Q. How long ago?—A. Twenty-six years ago.

Q. How long have you been in the business?—A. Twenty-eight or thirty years.

Q. When you made that big pack how did your gear compare with the amount you used to-day?—A. We had not as much gear to a man, but we used to haul twice a day then.

Q. The traps used to fill up and you had to empty them?—A. Yes, haul twice.

Q. Was the average catch very much better, was there a longer run of lobsters then?—A. Yes, I think in those days there was. For the last eight or ten years I don't think there has been much change in size.

Q. When did the great decrease take place, it does not seem to have been a matter of recent years?—A. No, not of recent years. I can remember when you caught them with a gaff along the shore, along the rocks. There seemed to be plenty and if you had a codfish head they would come in around.

Q. When did you first notice the decrease?—A. Some years we would do even better than in former years.

Q. But still there has been a great decrease?—A. Since those days.

Q. When did you first notice the decrease was beginning?—A. I don't know that I could say, it was gradual I suppose.

Q. Within the last five or ten years you say you have not noticed any?—A. Not so much decrease. This year is an off season. There was an off season three or four years ago, and then the next year was a very good one.

Q. Had you not off seasons in the years when you took so many lobsters?—A. Oh, yes, we had some seasons when we would not do near as well.

Q. How many boats do you employ?—A. Well, we had about twelve this summer.

Q. Were they all your own boats?—A. No, there were eight of them ours.

Q. In what depth of water do your boats begin fishing?—A. In the spring at different depths. They go down to about twelve or thirteen fathoms.

Q. How far off shore would that be?—A. Two miles and a half probably.

Q. Do you lose much gear?—A. Yes, sir, some years we lose a good deal of gear.

Q. Is that due to the ice or rough weather?—A. Rough weather.

Q. Rough weather washing them ashore?—A. Yes, sir, and breaking them up.

Q. In twelve fathoms would you lose much gear?—A. Not so much. Sometimes we would lose them at that depth in a very heavy storm. As the season advances the fishermen move their gear in.

Q. They do that with a view of following the lobsters?—A. Yes, sir, following them ashore.

Q. The first run of lobsters has passed in and they follow them in?—A. Yes, sir. This year the outside boats did not do as well as usual.

Q. Do the lobsters pass, do you think, before you get your traps out?—A. I don't know I am sure. I am not a fisherman of course.

Q. But still you know what goes on among the fishermen?—A. Yes, sir.

Q. When did the ice leave your shore this spring; up towards the north end the ice held on very late.—A. We commenced packing the 10th of May this year and the ice was away about that time. We put the gear out some days before that.

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Q. How long does it ordinarily take a fisherman to get out his gear?—A. About four fine days.

Q. He will put out about 300 traps?—A. About 300 traps. Sometimes they put out a couple of hundred on a fine day when they get everything ready.

Q. Where do you get your bait?—A. We buy some in the vicinity, catch it off our own place, and some we buy that is caught in Richmond Bay.

Q. The bait is all taken about the Island?—A. Yes, sir, what we have taken.

Q. Beginning with the open season when do you expect to make your best catch of fish?—A. Well generally in May we consider is the best month, although I remember one year we did not catch any until the 3rd of June. That was the year we caught our best catch. That year we fished up to the 20th August.

Q. What delayed you that spring?—A. The ice.

Q. Have you ever noticed when the ice remains late on the shore, that the lobsters seem to come in with a rush afterwards?—A. We always find better fishing, although this year it was different.

Q. Are the fish you catch early in the spring better than those caught in the latter end of the season?—A. Yes, sir. The fish are smaller towards the end of the season.

Q. Do you think it would be fair to say that in shoal water and late in the season, you will get a smaller run of fish generally?—A. I think so. There is a bigger percentage of small fish.

Q. In shoal water late in the season?—A. Yes.

Q. Would you be in favour of limiting the depth of water in which fishing should be allowed?—A. Fishing in deeper water, I believe, would be to the advantage of the packers, because otherwise they get the gear so close in, that storms come and destroy it.

Q. Yes, but we are looking at it from the point of view of the lobster, not from the packer's standpoint?—A. The fishermen will go anywhere if they are not prevented.

Q. What percentage of the lobsters you catch are female lobsters bearing eggs?—A. They are not large. I watched our own men particularly this summer; in fact I happen to be fishery warden, but among our own men we could not find many.

Q. You set a good example?—A. We try to, but sometimes it is almost impossible. The fishermen will put them in the boat and you would not notice them until after they were boiled.

Q. Where is it easiest to detect these female lobsters; as they are taken out the trap or as they come into the cannery?—A. Well, I don't know. The way we take them, the fishermen put them into the boats and then they come to the landing and there they are thrown by handfuls into a barrow.

Q. And if the catch is a good one it is pretty difficult to find the female lobsters with berries?—A. Pretty difficult to find them because they take them up by large barrow loads.

Q. Is it not easier for the fishermen to detect the berried lobsters when he is taking them out of the trap?—A. That is easier.

Q. Inside, despite all precautions, a certain number will slip through?—A. Yes. I used to think myself I had not one, and after they were boiled we would notice a spawn lobster.

Q. Is there any particular part of the season when you would expect to catch a larger run of spawning lobsters?—A. I don't know I am sure, although I think the last of the season is the time when you get more spawn lobsters. Still I heard a gentleman say to-day he thought there were more in the spring of the year.

Q. What would be the best way of getting at the fishermen to induce them to protect the berried lobsters?—A. My opinion is the only way would be to give the fishermen something more for the spawn lobsters than they are getting from the packers. Then they would be interested in saving them.

Q. And what would you do with them?—A. That is the question. There ought to be a hatchery or some place to put them in.

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Q. Do you think they should be brought in and liberated close in shore?—A. The trouble would be the inside traps would catch them again.

Q. You think they would work off again and get into the traps and you would be paying for the same lobster over and over again?—A. Yes, I think there would be a possibility of that.

Q. Is there any opportunity on your part of the coast to establish pounds?—A. I would think there would be. New London is the handiest to us.

Q. Would the harbour there be one that it is possible to bar off?—A. There are beautiful rivers and a big bay.

Q. We do not want fresh water rivers?—A. The rivers flow in.

Q. Could such a place be barred off without interfering with navigation?—A. Yes, sir, I think so.

Q. A great many people advocate depositing the female lobster in a pound and holding her there until the open season is over. They think that system is preferable even to a hatchery?—A. I think that myself.

Q. Because unless the eggs are very carefully stripped from the female lobster and handled immediately, the percentage of loss is very great in taking the eggs to the hatchery?—A. Yes, sir. There are creeks off these rivers where the tide flows right in from the sea, where there is no navigation.

Q. The main consideration is to get a sufficiently large area, because the lobsters must not be crowded and they have to be fed?—A. There is a large area.

Q. And the mouth should be narrow to permit of the area being barred off?—A. Above Clifton bridge or Stanley bridge there are large basins of water.

Q. Do the majority of the fishermen on the north shore of the island own their own gear?—A. No, I think the canners own the gear in most of the cases. There are some that own their own gear of course.

Q. Do you think it would be possible or wise to limit the amount of gear to be fished by a canner?—A. Well, I believe there is too much gear.

Q. How would you prevent the fishing of so much gear?—A. I know on our boats that is one difficulty in saving the spawn lobsters. Our men say: 'There is no use my saving them, the next one will catch them.' The traps are all together.

Q. You think there is too much gear?—A. Too much gear.

Q. Is there much overlapping?—A. Yes, a good deal.

Q. And fights between the fishermen?—A. Yes.

Q. What is your idea of the opening season?—A. I should think the opening season should be the 1st of May.

Q. Is that what you would want?—A. I think that would suit us as a general thing. Of course we have caught lobsters in April.

Q. What is the object of fixing an open season?—A. The ice fixes that for us.

Q. Does not nature provide a natural opening season?—A. I think it would be necessary to make a date. There would be some fellows that would set traps in the middle of March if there was open water. Anyhow I always think the 1st of May or the 26th of April not a bad time.

Q. Do you think the fishery is being exhausted, that the fishing is being over-done?—A. I think it has been over-fished.

Q. You think the decline in the fishery is the result of over-fishing?—A. Yes, I think so.

Q. What would be your proposition by way of ameliorating the condition of affairs? We have various schemes before us. Some people have suggested closing down for a term of years everywhere. The last witness we had said he would be in favour of that and he thought it was the best way out of the difficulty?—A. That would be a kind of harsh remedy. That would thrust a good many of us out in the cold.

Q. That should not be done of course without giving a certain amount of warning?

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—A. I don't know what benefit you would get. In a few years hence you would start again and flood the market.

Q. I suppose that when a fresh start was made it would be with more careful regulations. Another suggestion made by the Lobster Commission of 1898 was that the fishery should close down by sections; what would you think of that?—A. Well, I guess all hands would flock to the sections that were not closed down.

Q. Again, another proposition is that we should do away with the size limit but protect the berried lobster always?—A. Well, my opinion is it is almost impossible to carry on business and have a size limit here.

Do you think it is not possible to enforce the size limit regulation except at considerable cost?—A. I am afraid it is not.

Q. It has been also proposed to do away with the size limit, establish a width of opening between the lower slats of the trap to provide a way of escape for the very small lobsters, and shorten the season by ten days, at the same time establishing hatcheries or, where it is possible, have pounds in which to put the berried lobster; do you think that would be a reasonable way out of the difficulty?—A. I think so. That is the only way I can see out of the difficulty.

Q. Some people say: 'You must not shorten the season, it will put us out of business.' Is that your idea?—A. No. I think the two months of May and June would give the lobsters a good deal more protection. The July fish I find are very small.

Q. The idea is that the greatest amount of damage is done at the back end of the season. You do not think that would unnecessarily cripple the business?—A. I don't think it.

Witness discharged.

J. D. JUDSON, canner, Alexandra, Lot 49, called and sworn:—

By the Commissioner:

How long have you been engaged in lobster packing, how many canneries do you control and where are they situated?—A. I have been in the lobster packing about 15 years. I control three factories with a license at Governor's Island and Point Prim.

Q. How many boats do you employ?—A. About 20.

Q. And what number of hands, afloat and ashore?—A. About 50.

Q. Do you keep up your pack by the aid of increased gear and closer fishing?—A. Not for the last four or five years.

Q. Are you fishing a larger number of traps than you formerly fished?—A. They pack from six to seven cases a thousand by count. A boatload measured this year averaged nearly ten inches. We fish about 5,000 traps.

Q. Is it your opinion that the supply of lobsters is being kept up by packing fish that formerly would have been rejected as well as using an increased amount of gear?—A. There are enough gear and factories now, and fish are not quite so plentiful but just as large.

Q. Do the fishermen own the boats and gear or do you supply the outfit?—A. I own all the gear and boats and supply the outfit.

Q. At what size is the lobster fully matured?—A. I have one getting dressed now, caught this season, which is 32 inches long. The claw is 6 inches wide and 11 inches long; it is matured and about 8 years old. Lobsters taken here average about one pound the season through.

Q. What percentage of the lobsters taken in your traps bear eggs and at what period of the season are they most numerous?—A. In May.

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Q. Has it been your practice to make an examination at the factory so as to detect if there are berried lobsters among those delivered?—A. I have delivered more berried lobsters to Charlottetown hatchery than any other packer ever since it was started.

Q. If the present size limit were strictly enforced what effect would it have upon the canners?—A. I think it would close a great many. I don't fish with close gear. The trap has a two and a half inch mouth and the laths are one and a quarter inches apart.

Q. Is it true, as stated, that no packer could continue in business and observe the size limit?—A. In some parts of the island the lobsters are larger than others. Some feeding grounds are better than others.

Q. Is the practice of stripping or washing off the eggs from the berried lobsters, followed by the fishermen?—A. We have men hired to take the eggs off right. The eggs should go to the hatchery as soon as they are removed.

Q. If the canners refused to accept the berried lobsters would the fishermen not return them to the water?—A. The packer would have to pay for them and he could not afford it.

Q. Are the regulations enforced in regard to the size limit of 8 inches and the taking of berried lobsters?—A. Most of our berried lobsters are larger than 8 inches. An 8-inch limit would be too large for some parts of the Island.

Q. What suggestion would you make for the better regulation or protection of the lobster fishery?—A. I approve of the season starting from the 26th of April or the last of May and closing the last of July. We should have more hatcheries, and be careful to get the spawn or berried lobsters in quick so that they will not perish, because they are very tender and want good care quickly. There are enough factories and gear now. To save the berries and increase the hatcheries is the best way to preserve the lobster fishery.

Witness discharged.

Commission adjourned.

CHARLOTTETOWN, August 4th, 1909.

The Commission met pursuant to notice but no witnesses offering themselves for examination, an adjournment was made to following day at Georgetown.

GEORGETOWN, August 5, 1909.

J. W. MACFEE, canner, Georgetown, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing?—A. For thirty-three years.

Q. How many canneries do you run?—A. I am interested in three.

Q. Where are they situated?—A. One at Panmure Island, one at Dolton Island, and one at Launching Point.

Q. What number of boats do you employ?—A. About forty-five.

Q. Are they mostly manned by two men?—A. Mostly.

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Q. What number of hands, men and women, do you employ in your canneries?—

A. That is, working inside?

Q. Inside?—A. In the three I suppose we have about thirty men and the same number of girls.

Q. What was your pack in the three canneries this year?—A. Somewhere in the vicinity of 1,100 cases in the three factories.

Q. And last year?—A. Last year we had over 1,500.

Q. And the year before?—A. I do not just remember, maybe 1,200 or 1,400.

Q. Last year and the year before seem to have been good years around the Island generally?—A. Yes, especially last year.

Q. What was the largest number of cases you have ever put up in those three canneries?—A. About 1,800 cases I think. That would be I suppose about four years ago.

Q. When was canning first begun here?—A. I cannot answer that question.

Q. Were there other factories canning here before you began?—A. Yes.

Q. Had they been long in operation do you think?—A. I think so, eight or ten years.

Q. Over the greater part of the coast, thirty and thirty-three years ago seems to have been the time of the commencement of the canning industry?—A. Yes. There were very few factories when we came here first.

Q. Are you fishing a greater amount of boats and gear now than when you began?—A. Yes.

Q. Do you consider that it takes a larger amount of gear to-day to keep up your pack than it did thirty years ago?—A. Yes. In 1890, I packed 1,175 cases with 1,500 traps in one factory.

Q. What is the total number of traps you fish to-day, how do they run per boat?—A. 275 to a double boat and about 175 to a single boat, that is the general run.

Q. According to the number of hands?—A. Some fish 300 or 400 traps I guess.

Q. What is the practice here as to fishing in the early part of the season, do you fish farther off shore?—A. Yes, sir.

Q. In what depth of water?—A. Some fishermen claim they fish in about twelve fathoms.

Q. How far off shore would that be generally?—A. I would say from looking at them from two to three miles.

Q. And do the fishermen remain fishing in the same water all season?—A. Not all the season.

Q. About when do they move in?—A. Some begin to move in I think about the 10th of June.

Q. One season with the other when do you begin to pack?—A. About the first days of May generally. Of course up to last year the time for running the lines was 20th April, but it used to take pretty nearly that week to get the traps out.

Q. Are you much exposed to bad weather conditions here, is the loss of traps and gear great?—A. There was considerable this year.

Q. When had you storms this year?—A. The latter part of the season. I do not just remember the days when the most damage was done.

Q. They seem to have had a bad storm early in May on some parts of the coast?—A. That did not interfere with us so much as on the north side.

Q. Do you notice any difference in the lobsters in the early season when you first begin packing as compared with the latter part of the season?—A. Yes, we get the larger lobsters in the early part of the season.

Q. Would it be fair to say that as the season advances and you fish in shoaler water, the average run of lobsters decreases?—A. Yes, it certainly does.

Q. What is the best season of your fishing?—A. The best season of our fishing is May up to about the middle of June.

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Q. Have the regulations ever been strictly enforced here?—A. No, sir, not as regards size limit or even as to berried lobsters.

Q. Of course since the hatchery has been established here the berried lobsters are stripped and the eggs delivered to the hatchery from all your canneries?—A. From all our canneries.

Q. When was the hatchery opened?—A. This year. This is the first year of its operation.

Q. So that the hatchery has not been in operation long enough for you to form any estimate of the good work done by it?—A. No, sir.

Q. Still you believe in hatcheries?—A. Yes.

Q. Do you think their number ought to be increased where the facilities are offered?—A. I should think so where the facilities are offered.

Q. Have the canners made any scruple about accepting undersized and berried lobsters in the past?—A. Not any up till last year.

Q. Is it the case that they have been compelled more or less to receive these lobsters for fear of losing their fishermen?—A. Yes.

Q. What would happen if the size limit regulation were strictly enforced?—A. We would have to go right out of business; we would have to close down.

Q. What percentage of your lobsters do you consider are under the legal limit of 8 inches?—A. That is taking the whole season?

Q. Yes?—A. I would say about 60 per cent.

Q. As much as 60 per cent? What would you say is the percentage of berried lobsters taken throughout the season?—A. Not more than 10 per cent I would think.

Q. Are berried lobsters more numerous at any particular part of the season than at another?—A. They seemed to be a little more numerous in June this year. Some years we find them very early.

Q. What do you think brings the lobster inshore?—A. It must be the temperature of the water or something of that kind, or following the bait they want to live on. Some claim it is the berried lobster which comes in, but they all come in large and small.

Q. What is your idea as to the best means to be taken in order to protect the berried lobster; there is no question I suppose about the necessity of saving this lobster?—A. No, I don't think there is any question of that.

Q. Here of course you have the hatchery to which the eggs are taken, and I suppose it is the best means available. Where there are no hatcheries what do you think can be done?—A. If you had pounds to put them in, the same as they have at some places it would be the next best thing.

Q. They have pounds in the state of Maine and there is one in Cape Breton?—A. I think that would be the better way if we could only do it.

Q. Do you think there is any way of getting at the fishermen and inducing them to return these lobsters to the water?—A. I think so if the fishermen were paid for them.

Q. How would it do to send some one around to address the fishermen and explain matters to them; do you think that would have an advantageous effect?—A. I think so.

Q. Do you think the fishermen are already appreciating the fact that they must not destroy these lobsters?—A. A great number of them.

Q. We are told in a great many places that there is a great change of feeling among the fishermen in that regard?—A. Among a great number of them. I am sorry to say I had quite a little trouble with a good many even to get them to keep the spawn lobsters separate to go to the hatchery.

Q. It is generally admitted that there is a great decrease, perhaps not in the quantity, but in the size of the lobsters; do you think the decrease is as great of recent years as it was some years ago?—A. No, sir.

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Q. When did the first appreciable decrease occur?—A. During the year that we had those extensions—I do not just remember the years—those extensions granted up to the 20th of August I think. A couple of years after that we could hardly get any.

Q. Do you think those extensions of time did harm?—A. They certainly did.

Q. What is your opinion with regard to the condition of the fishery during the last five or ten years?—A. The last five years? I can only speak for myself, but my average has decreased, that is the average lobsters per can would amount to here with me at present——

Q. What is your average per pound can?—A. My average per pound can would be about 4½ pounds I think, from that to 5.

Q. Four and a half pounds of green lobsters?—A. Yes, something like that I am afraid.

Q. It takes that amount to fill a pound tin?—A. To fill a pound tin.

Q. What is the arrangement generally made with your fishermen; is the gear your own?—A. At two factories it is all our own. At one factory it is simply owned by what they call independent fishermen, fishermen who own their own gear.

Q. And sell to you by weight or by count?—A. By weight.

Q. How does the price paid this year to the fishermen compare with former years?—A. It is a little lower this year than it was last year.

Q. That was due to the market conditions, was it?—A. Yes, to the market conditions, although the price compares favourably with what it was five years ago.

Q. What do you think of the present method of issuing licenses; do you think the number should be restricted?—A. I think so.

Q. Are there any co-operative licenses in this neighbourhood?—A. None whatever.

Q. You know that the policy of the department at present is to encourage the fishermen to group together and take out a license to can in the name of one of their number; you have nothing of that kind here?—A. Nothing of that kind here.

Q. What do you think of that policy?—A. I suppose the policy would be all right providing they had a proper man to can their goods.

Q. Do you think there is any real reason why any man who shows his competency to can should not be granted a license?—A. I do in this way: If every man is granted a license the factories will increase and, consequently, the number of traps fished and the number of fishermen will increase. That is about the only reason I have.

Q. Do you think it is possible to establish a standard cannery?—A. They are establishing standards for everything else, all other kinds of canneries, and I do not see why it should not be done in the case of lobster canneries.

Q. How would you begin to do that, what would be the first consideration?—A. That is something I have not thought over.

Q. To establish a standard would fall harder on the small operator, would it not?—A. I don't know that it would. I think it would be a benefit to the small operator, because under a system of that kind all goods would be inspected and they would all go into the market on the same basis, the same quality.

Q. But if the department decided to issue a license to every one, as we say, competent to pack, there would have to be some standard fixed, it would not do to give every Tom Dick and Harry a license?—A. No.

Q. What would you put as a limit on the number of cases to be packed?—A. It might be 300 or 400 perhaps.

Q. Do you think the number of boats attached to any cannery should be limited?—A. I think so. I think both the number of boats and the number of traps fished should be limited.

Q. What do you think of the proposition to license the fishermen?—A. I think it would be a very good idea.

Q. Do you think it is a regulation that could be easily enforced?—A. It might not be very easily enforced.

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Q. I suppose the fishermen who took out a license would in most cases be careful to see that others without a license could not fish?—A. I think they would.

Q. Especially if there was a slight fee imposed?—A. I think they would.

Q. To what do you attribute the changed conditions of the fishery from those which existed at the beginning?—A. To over-fishing

Q. Various suggestions have been made at different times to the department, and last year to the newly constituted Committee on Marine and Fisheries of the House of Commons, as to the best means of remedying the present—I will not say failure—but the poor condition of the fishery as compared with the early days. Among other things it has been suggested that there should be a universal closing down for a term of years; what would you think of that?—A. I would not think it would be advisable.

Q. Do you think the fishery has really reached that stage of exhaustion that such a severe measure is necessary?—A. I do not think so.

Q. Would you venture to say that the condition of exhaustion has stopped?—A. I think so.

Q. You think there has been no decrease during the last——?—A. Not during the last five or six years.

Q. The Lobster Commission of 1898 recommended to the department a closing down of the fishery by sections; that certain sections be cut off from fishing for a term of years, and others allowed to continue, and that that plan should be applied to successive sections of the coast?—A. Well that, I suppose, would necessitate us all going around to the one place and keep going around on wheels.

Q. You think the fishermen would be inclined to do that too?—A. I think so.

Q. Another suggestion is that we should do away with the size limit altogether, always protecting the berried lobster by some means or other, and shorten the season say to the 1st of July?—A. I would be in favour of that.

Q. Do you think the size limit regulation is one that could be very easily enforced?—A. It could not be enforced in my opinion.

Q. Would it be possible to slightly increase the opening between the slats of the trap, to insist upon a regular standard trap with a certain width between the slats? In some places we find a space of only half an inch between them.—A. I can only speak from experience. Some few years ago—I forget what year it was—we were compelled to open the bottom laths of our trap, three laths to an inch I think. During that year we found that the small lobsters got in just as easy or we got as many of them; they went in and did not come out. Of course I think there could be a standard trap.

Q. What should constitute a standard trap from your experience?—A. I should say the old two-headed trap with three bows and laths. I am, personally, not in favour of the trap they call the parlour trap. I know some of the fishermen are but I am not.

Q. The parlour trap has come into very general use?—A. It is coming into very general use. Some fishermen claim that they are a lot better, but my opinion is that they are not. I had two fishermen this year fishing nearly all parlour traps and they did not get any more lobsters than other fishermen with the other trap. They did get a greater percentage of little things about that length (illustrating by a gesture).

Q. Well the idea of the fishermen, as explained to us, is that the new trap holds the fish, that they get more fish. On Monday, or whenever they have not been able to get out in stormy weather, they find the lobsters are still in the trap, whereas in the old trap the lobsters could go backwards and forwards.—A. That may possibly be, but the only experience I can give you is that two of my best fishermen fished nearly all parlour traps this year, and at the end of the season they were not by any means ahead of some of those who fished the old two-header.

Q. Do you think we ought to go back to the old fashioned trap, would you go that far?—A. I think so.

Q. Do you think the new trap is more destructive than the old one?—A. I do.

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Q. Have you any idea whether facilities exist in this neighbourhood for establishing pounds?—A. I do not know.

Q. We want a considerable area of salt water, with sufficient depth, and the possibility of barring the place in?—A. I don't know of any situation here that would be favourable for that purpose. There are some pounds but the inlets are very narrow and shallow and full of marsh mud. There are some other persons here that may know of more favourable conditions.

Q. Do you think there is any evil attendant upon the practice of fishing in too shoal water?—A. I do.

Q. What would you limit the depth of water to?—A. Well the depth of water has already been limited by order in council to two fathoms, but it is not enforced. In some places two fathoms possibly might be a little too shallow, in other places a little too deep. Of course that is a matter for the fishermen, they know more about that than I do.

Q. It has been recommended by Professor Prince, who is the principal adviser of the department, that we should have a universal close season for the whole Atlantic coast from the 1st, the 15th or the 10th of July as the case may be, to the 1st of January, when the open season would begin; what would you think of that idea?—A. I don't think it would suit this locality.

Q. It does not mean that you can fish at all in the early months of the year but fish when you can?—A. I understand.

Q. You do not think it would suit this locality?—A. No.

Q. What would you think of allowing fall fishing? In some localities it is claimed that owing to the delay in commencing to fish, caused by ice in the spring, they should be allowed to fish in the fall.—A. That would be having two fishing seasons, one in the spring and one in the fall.

Q. In some places they ask for only the one season, beginning say 15th or 20th of July, and extending till the end of September?—A. I cannot speak of that. I have had no personal experience of what the fall fishing might be.

Q. Do you think that the product of the lobster cannery should be inspected in the same way as other food products are?—A. I think it would be a benefit. You see our goods go to England but I do not know if they go as Canadian goods, the same as butter and cheese, under inspection.

Q. Do you think the existing staff of fishery officers would be competent to carry out that inspection?—A. I think so.

Q. What do you think of the practice of issuing canning licenses to aliens, or is the question too near home for you to answer?—A. No, it is not that sir, I am not an alien. I suppose they have a right to invest their capital in the lobster business, they have been in it for a number of years.

Q. They were the pioneers of the industry in this country were they not?—A. Yes, practically.

Q. And it is only the capital invested that is foreign?—A. That is all.

Q. The labour is entirely native and the material supplied is purchased in this country?—A. Yes, the material and everything. Even their foremen and managers reside here.

Q. Are you aware of complaints made by fishermen that the price paid to them for lobsters by the canner is not satisfactory?—A. I have heard it said.

Q. Do you think there is any general combination on the part of the packers to keep down the price?—A. Not at all, sir.

Q. Is there any competition in the matter?—A. Too much so.

Q. Are you aware of fishermen having lost their catch of lobsters by the canner refusing to take them?—A. Not to my knowledge. There have been no cases in this locality whatever.

Q. It has also been alleged that in some cases fishermen have suffered injury by the failure of canners to operate their factories, although a sufficient supply of lobsters

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was available. Has any instance of that nature occurred here to your knowledge?—
A. Not here, sir.

Q. If the canneries were closed down what market would the fishermen find for their lobsters?—A. Not any.

Q. Has any attempt ever been made here to develop or encourage the live lobster trade?—A. Not just around here. There has been from the Island though.

Q. I suppose the necessary facilities for carrying on that trade do not exist here?—A. We cannot possibly do it.

Q. Do you think there is anything inherent in the native lobster that prevents it from being as fit and suitable for the live lobster trade as the Atlantic lobster?—

A. Yes, sir, I do. I attribute it to the thinness of the shell in the first place, and furthermore our lobsters have not the vitality of the Atlantic lobster.

Q. Have you any idea of the comparative value of the two industries; do you think that where the two can exist, the live lobster trade is the more profitable one to the fisherman than selling his lobsters to the cannery?—A. That is something I am not familiar with.

Q. In connection with the matter of limiting the amount of gear, what is your reason for thinking there should be a limit?—A. My reason for that is I think there are entirely too many traps fished. I don't see that there is very much use in limiting the number of licenses or the length of the season and allowing fishermen to put out all the traps they like, or canneries and factories.

Q. Would you limit the number of boats or the amount of gear per boat?—A. I suppose if you allowed so many traps to a factory. I think it would be hardly fair to limit the number of boats because there are a good many cases where there are two men in a boat, and others where there is only one man, and it would make it necessary I suppose——

Q. It would be very simple limiting the amount of gear to a factory fishing its own gear, but what would you do in the case of an independent fisherman who is not connected with any factory, but sells his fish where he can?—A. That would be rather a hard question to deal with unless it can be done by licensing the fishermen.

Q. You think that under licensed fishing it could be controlled?—A. If you compel the factories to take lobsters from no more than a certain number of traps.

Q. Is there much fishing done out of season here?—A. Not in this locality of late years, this last few years.

Q. But there has been illegal fishing here?—A. Yes, there has been, but I think this last few years the law has been well observed.

Q. Is it the practice to abandon gear in the water here?—A. Yes, to some extent.

Q. Do you think that has any effect?—A. I think it has. I think it is ruinous to the business, not only to the lobster, but all other kinds of fish.

Q. What do you think of the recent method of stamping the cases, is it effective?—I suppose it is in some ways but don't think it would be very hard for any person that wanted to get stamps to pack out of the season, to get them. They have been getting them heretofore and I suppose they could get them again. Of course I am only speaking of this locality; I don't think there has been any illegal work going on for the last few years.

Q. What do you think about the practice of fishing in the inner bays and lagoons and harbours?—A. It is a very bad practice.

Q. Would you prohibit it?—A. I don't think it could possibly be done in the harbours here. It might be in some places, but in bays and harbours like we have here it could not be prohibited. The bay here is too large.

Q. Is there much fishing done in the bay?—A. The latter end of the season there is a great deal.

Q. Would limiting the fishing to a certain depth of water affect that to a certain extent?—A. I think it would. Yes.

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Q. Do you think that limiting the depth of water would cover the injury done by fishing in lagoons and too shallow places?—A. Where they fish on the sand banks in five and six feet of water, where a boat cannot float over, it would, but on this coast—

Q. Are hoop nets used here at all?—A. No, sir.

Q. Or trawls, what we call fishing with cod heads?—A. No, sir. I have tried the hoop nets but they were never successful.

Witness discharged.

Mr. T. W. MACDONALD.—About putting the lobster spawn into hatcheries, the present system of distributing the spawn, I would like to know whether the hatchery system at present in force, goes far enough with the treatment of the lobster for the protection of the industry.

THE COMMISSIONER.—What is the system now pursued?

Mr. T. W. MACDONALD.—I understand the spawn is taken away outside and distributed in the open sea. It is, of course, let go at a very early stage when it is really very small fish. I would just like to ask a question whether that system is considered a satisfactory one for the protection of the industry?

The COMMISSIONER.—Usually, as you know, the female lobster goes into shallow warm water to develop her eggs and when the eggs are ripe she packs off into deep water to liberate the young. It was for that reason the practice was adopted of liberating the young lobsters outside.

Mr. MACFEE.—I understand the department have made a lot of inquiries into that business themselves. I understand they have been measuring the lobsters around the factories and finding out the localities, as far as possible, in which they were caught.

The COMMISSIONER.—There is a good deal connected with the life history of the lobster that is not known. There is more unknown than is known.

Mr. MACFEE.—Where they are getting the smallest lobsters they thought was the place where the lobster would feed and grow. That is what I understand they are taking measurements for. I don't know anything about the hatching of lobsters.

The COMMISSIONER.—The reason why the young lobsters are liberated in deep water is because it is always held that the female lobster herself liberates her young there and not in shoal water. Do you think they take the best means possible of protecting the eggs?

Mr. MACFEE.—Oh, I think so.

The COMMISSIONER.—Would it be possible to convey the lobsters alive to the hatchery to be stripped there?

Mr. MACFEE.—Not from as far away as our boat goes, I do not think, unless they had a tank boat or something suitable to bring the lobsters in. Then it would be possible but not with the gasoline boat we are running now.

Mr. T. W. MACDONALD.—I just wanted to find out whether Mr. MacFee agreed with the opinion that the young lobsters should be liberated in deep water.

Mr. MACFEE.—My own opinion, until I talked with the Commander, was that it would be better if they were liberated in some place outside.

The COMMISSIONER.—Are the young lobsters fairly distributed along the shore?

Mr. MACFEE.—I don't know anything about that.

The COMMISSIONER.—There are complaints in some places that the eggs are collected in certain areas but the young lobsters are not liberated there.

Mr. MACFEE.—I might say that the manager of the hatchery told me in the spring that he was going to liberate the young lobster fry where he received the spawn in proportion as he received it. In other words if he got a million eggs from up west

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he would deliver the same number of fry, if he got two millions of eggs he would deliver that number of fry.

The COMMISSIONER.—If the young lobsters are held in tanks and jars they devour each other at an awful rate.

Mr. W. W. JENKINS.—How long after the lobster is hatched out should he remain in the large receptacle in the hatchery; is there a certain length of time for that or is the boss of the hatchery supposed to use his own judgment?

The COMMISSIONER.—I think the manager uses his own judgment about that. I think when he finds they are strong and active and are fit to look after themselves, his instructions are to liberate them; you cannot keep the young lobsters too long in the limited space in the tanks. There are other canners present. Mr. Cogswell would you have any evidence to offer, do you coincide with the evidence given by Mr. MacFee in whole or in part?

Mr. COGSWELL.—You spoke about getting lobsters in the bay and in the rivers. I think lobsters should be allowed to be caught there.

The COMMISSIONER.—There are many places where there are narrow inlets, shoals and bays, inside which the lobsters seem to precipitate themselves, and it has been stated that in such natural pounds as these the lobster should be protected. That is all.

Mr. MACFEE.—I stated it would be impossible to prohibit fishing in a bay like this.

Mr. COGSWELL.—There are as many spawn lobsters taken outside as there are in the bay.

Mr. MACFEE.—Oh, yes, just as many. What I have reference to is these small rivers. They should be debarred from fishing at the heads of these rivers.

The COMMISSIONER.—Perhaps it would be better, Mr. Cogswell, if you gave us your evidence on that point?

Mr. COGSWELL.—That is all I have to say.

Messrs. T. W. Macdonald, A. J. Macdonald, W. W. Jenkins, Aaron C. Cogswell, William Easton and James Manuel, packers, being collectively asked if they concurred in the evidence given by Mr. MacFee replied in the affirmative.

Mr. MANUEL called and examined:—

By the Commissioner:

Q. What do you think should be the opening season?—A. My opinion is altogether different from that stated. My opinion is that it would be better if it was the 1st of May rather than the 20th April.

Q. What is your reason for fixing the opening on the 1st of May?—A. Well we very seldom get lobsters before the 1st of May. There is an odd year that we do but it is a very odd one; the weather conditions are against us. Some years the ice is in. It was only a couple of years ago that the fishermen's union went around with a petition and asked to have the date of opening changed. I think they had two petitions, one for the 26th April and the other for the 1st of May.

Q. Which petition carried, the one asking for the 26th April?—A. They had the 26th April first but they found the ice was not gone by that time, and then they had it the 1st of May.

The COMMISSIONER.—What is your opinion, Mr. MacDonald, when do you want the season to open.

Mr. T. W. MACDONALD.—From our point of view I would say the 26th of April or 1st May. That is taking it all round. But in one or two factories we would

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gain by being open a little before that, a little before the rest. We generally get a large part of our pack in the last days of April and one or two days in May. There is one point I would like to ask Mr. MacFee about. There is an opinion among a section of the fishermen that they should be allowed to put out their traps or their rope——

The COMMISSIONER.—Run their lines?

Mr. T. W. MACDONALD.—Run their lines at whatever season they see fit but we should not be allowed to pack fish at the factories before the opening of the season. I do not know what the opinion of the packers is upon the subject but a number of fishermen have spoken to me in favour of it.

Mr. MACFEE.—Do those fishermen own their own traps?

Mr. T. W. MACDONALD.—Some of them do.

Mr. MACFEE.—My opinion is—we have had something to do with it in past years and I don't think it would suit at all. It would, I believe, end in a rebellion amongst fishermen.

The COMMISSIONER.—Mr. Manuel, what do you think about the opening of the season?

Mr. MANUEL.—Well personally I would say the 20th of April.

The COMMISSIONER.—What do you think, Mr. Cogswell?

Mr. COGSWELL.—I think 20th of April.

Mr. W. W. JENKINS.—I am in favour of from 26th April to the 1st of May. I think all the lobsters here can be caught between the 26th of April or 1st of May and the 1st day of July. That would be my own opinion.

The COMMISSIONER.—Do you wish to say anything about the closing of the season?

Mr. MACFEE.—I think it is merely necessary to close 1st July.

The COMMISSIONER.—I understand the packers here would do away with the size limit, fix a standard of trap, close the season 1st July, protect the berried lobsters by means of hatcheries or pounds or putting them back in the water, and have a limitation of the traps.

Mr. MANUEL.—That is regulate the traps as they are already made?

The COMMISSIONER.—For the future. You would take a certain time I suppose to wear out the present traps?

Mr. MANUEL.—If they continued to lose traps as they did this year it would not take them very long.

The COMMISSIONER.—What would you estimate the life of a trap to be?

Mr. MANUEL.—Four years.

The COMMISSIONER.—Three years seems to be the life of a trap in most places.

JAMES MACMILLAN, canner, Georgetown, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the industry?—A. Since I first went into the business about 32 years ago.

Q. What number of canneries will you speak for?—A. Only one cannery. I am foreman of D. C. Morrison's factory.

Q. Where is that situated?—A. At Launching Point.

Q. What number of boats do you run?—A. We ran about 15 boats this year.

Q. Are they all using their own gear; do the boats belong to the factory?—A. All the gear belongs to D. C. Morrison. We have a lot of parlour traps.

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Q. You have no independent boats?—A. No independent boats at all. All our gear is owned by Mr. Morrison.

Q. How are your fishermen paid, by weight?—A. They are all paid by weight.

Q. What has been the average price paid in this neighbourhood by weight this year?—A. Well the average price is about \$1.30.

Q. What is it to these men fishing their own gear?—A. We have not got any of them.

Q. You heard the evidence of Mr. MacFee?—A. Yes.

Q. Do you approve of it in a general way?—A. Yes, I approve of it.

Q. Is there any particular point you wish to more fully explain?—A. I don't think it. I agree with Mr. Jenkins that the season should be from the 1st of May.

Q. You think the season should open on the 1st of May?—A. The 1st of May until the 1st of July and cut off those last ten days. I think it would be a good improvement to the lobsters because there are a lot of bad fish coming in at that time that are not fit to can.

Q. Do you think there is any part of the season when the lobsters are not fit for food?—A. They are not fit for food in the last ten days' fishing; they are not fit to can.

Q. What have you to say about the regulations with regard to undersized and berried lobsters, have they ever been enforced?—A. They have not been enforced.

Q. What is your opinion as to a strict enforcement of those regulations; what would happen if they were strictly enforced?—A. I think the factories would have to close down if they were strictly enforced. Of course saving the spawn is a thing that we have been doing for the last three or four years. We have been liberating the spawn lobsters before we got a hatchery.

Q. You would not allow the fishermen to bring them in?—A. We would not allow the fishermen to take them in, we made the fishermen throw them overboard when we could catch them. Of course we could not always do that.

Q. Do you think the practice of brushing off the berries from the spawn lobsters has been followed here to any extent?—A. I think they have been doing that previous to the time they brought them in.

Q. Is it a difficult thing to detect a lobster that has had the eggs brushed off?—A. I could tell, but the most of men could not.

Q. Would it require a very close scrutiny?—A. The spawn is spread and if you are used to handling lobsters you will see when they are closed in when they have not got any spawn. When the spawn has been washed off you will notice the lobster where it has spread, and if it had not any spawn it would be closed in.

Q. But where a large number of lobsters are brought in rapidly to a factory would it not be a difficult thing to distinguish them?—A. It would be difficult to distinguish. The fishermen who pick them out of the traps one by one have a chance to detect them.

Q. The fishermen taking lobsters from the traps are in a better position to cull them?—A. Oh yes, we could not cull them.

Q. Not in the cannery?—A. We could not cull them there very well because the lobsters are dumped in.

Q. If the canneries generally refused positively to accept berried lobsters, what would occur?—A. Of course we do refuse at present to accept them.

Q. And they all go to the hatchery for the eggs to be stripped off?—A. Yes.

Q. But before that was done do you think the canner was scrupulous about the matter and refused to accept the berried lobsters? In some places they had told us it would simply mean the eggs would be brushed off outside; do you think that is the case?—A. Yes, they have done that. I have known them to do it. Of course we cannot say anything about that because as long as we don't see them doing it we have to take the lobsters from them.

Q. What sort of a lobster is the average berried lobster?—A. Generally a good

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sized lobster from 8 to 9 and 10 inches and so on. That is about the average size of the spawn lobster.

Q. How are the berried lobsters as to meat and fulness?—A. They are well filled.

Q. And do they turn out well?—A. Yes.

Q. They make good meat?—A. Yes, they make good meat.

Q. Some people have told us that berried lobsters do not make good meat, that the meat is soft and spongy.—A. That is at the last of the season when the shell commences to soften.

Q. The witnesses referred to alluded to that characteristic in connection with all berried lobsters?—A. No.

Q. The majority of the evidence given so far goes to show that the berried lobster is generally of good size?—A. Yes, a very good size.

Q. That these lobsters are well filled and make good meat?—A. That is right.

Q. But still exception has been taken to that by some packers.—A. That would be later on when the lobsters are getting soft-shelled.

Q. What is the smallest female lobster you ever saw with eggs attached?—A. I don't just remember but they are a pretty good size. They generally go to about 8 inches I think. I do not know that I ever saw any smaller than about 8 inches. I notice they are a pretty good size when they have got the spawn on them.

Q. Do you think it would be possible to get the fishermen to return to the water all the berried lobsters they take in their traps for moral reasons?—A. I don't think they would. I think it would be almost impossible to get them to do that.

Q. Do you think it would be possible to get the fishermen to bring the berried lobsters and pay them for them, and then have these lobsters returned to the water close in shore?—A. Yes I should think they would do that.

Q. Because we could not take their word for it, the lobsters would have to be received by somebody and then returned to the water.—A. Yes, I should think they would do that, I should think they ought to.

Q. Do you think a very large proportion of them would be taken in the traps over again if they were liberated?—A. We made a law among ourselves that fishermen were to liberate the lobsters with spawn, that we would not take such lobsters from them, and that there would be a fine imposed on those who brought them in. Then they commenced squealing and saying it was no use, that if they chucked them overboard somebody else would catch them and take them in. I don't know if that was the case or not, I cannot say anything as to that.

Q. What do you think of the proposition to license the fishermen?—A. I could hardly say anything about that. That is for the fishermen to——

Q. To only allow the fishery to be carried on by licensed fishermen?—A. I could not say very much in regard to that.

Q. Are the majority of the fishermen about this part of the coast bona fide fishermen who catch other fish as well as lobsters?—A. Well there are a good many farmers fish, more than half of them are farmers who fish and they don't do very much other fishing. A good many of them just fish for their own use, codfish and other fish. They all fish herring.

Q. Where do you catch your herring?—A. Right off the factories, we set the nets right in the bay.

Q. What do you think about the matter of traps; is the present wheeler or parlour trap unnecessarily destructive in your opinion?—A. Well of course it catches smaller lobsters than the other one and when there is two days' fishing it holds all the lobsters in. I don't think that we are getting any smaller lobsters this year than we used to get.

Q. Than when you used the old fashioned trap?—A. The lobsters all season were smaller. All our parlour traps are pretty well off the three mile limit. We have got no fellows that fish inshore much.

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Q. Do you think it would be possible to establish a standard trap and insist on a regulation limit between the slats; do you think it should be done?—A. Well I don't know. There used to be a time when the space was an inch at the bottom lath. We used to get pretty small lobsters then as we do now. I don't think it made a great deal of difference. I don't think it would be worth while changing these traps, because they do not last long enough.

Q. What is the width at present between your slats?—A. They are pretty close down now but the sill is about three quarters of an inch. If the lath is put down on the sill I think it would be all right. If that were done and the lath nailed across it would not catch the lobsters too small but they could get away. A small lobster can get out through a pretty small space if it has the opportunity.

Q. What sized lobster would get out through an inch opening?—A. Well a 7 inch lobster could get out through that.

Q. Do you think the lobsters make any effort to scramble clear of the trap when it is coming up, or are they more likely to grab on to something until they get to the surface?—A. I think they do get out very often, some of the fishermen say they do anyway.

Q. Do you think there is any good reason for having a smaller size limit and different close season in some places than in others?—A. I don't know of any reason other than fishing them out, thinning them out in the fall of the year. Fishing lobsters in the fall of the year would thin the lobsters out more than we have done in the place where we are.

Q. Do you think the lobsters when the fishery first commenced were pretty much of a uniform size all over?—A. Oh, yes, they were when I went there first.

Q. Do you believe there is a smaller family of lobsters on some coasts than on others?—A. The lobsters of course are getting smaller here. Every year they are a little smaller than they were. Of course they are packed a lot smaller than when I went into the business 32 years ago.

Q. But originally do you not think they were pretty much of a uniform size everywhere?—A. They were, but they were getting smaller every year according as they commenced to get caught.

Q. Do you think the decrease has stopped and that conditions are remaining about the same; some people claim there has been no appreciable decrease for the last five or ten years?—A. I think we got just about as many spawn lobsters this year as we did last, only we had less boats. We had two less boats and we did not have quite as good fishing.

Q. But even in the good years there were always seasons when the fishery failed?—A. Sure, lots of them. There was a time when the fish would break right away to nothing and then come up with a will and you could not get them out of your way. That is not so many years ago, about ten.

Q. What is your proposition as to the best regulations for the fishery, what would you suggest or advise?—A. I think the suggestion made by Mr. MacFee, Mr. Jenkins and Mr. MacDonald, who all own factories, would be all right. That is to have the fishing season from the 1st of May up to the 1st of July; that would be restriction enough. If there had always been that restriction I think the lobsters would never have depreciated, they would always have held about their own. By that season you are taking ten days off the worst time for the lobsters. Of course in the first part of the season it does not hurt the lobsters any to catch them early. If you catch them early you won't catch them late, that is the idea. If you catch them in May you are not going to catch so many in June and the other months, because when they are caught they are caught.

Q. How many pounds weight of green lobsters does it take to fill a pound can in your case?—A. Well it takes about four and a half pounds to the can. Of course they vary you know. You cannot always——

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Q. At different times in the season, in May for example, they will run larger?—

A. They don't pan out sometimes in May as good as they do later on.

Q. Are they as full in May as they are later on in the season?—A. They are fuller in May but still they do not make as good an average.

Q. What do you think about the present license system; do you think there are canneries enough and that the present method of restricting the number of licenses is one to be continued?—A. Well I think there are enough in a way. There is not very much room to get any more, not without they pile them on top of each other.

Q. A great many people claim they can see no good reason for restricting the number of licenses, that one man has as much right to a license as another?—A. Well I can hardly say anything on that question. I would not want to say anything about that.

Q. What do you think of the policy of the department in encouraging fishermen to co-operate in canning?—A. I cannot say very much in that matter I think.

Q. I think you told me you agreed with the evidence given by Mr. MacFee in a general way?—A. I would agree with everything Mr. MacFee said.

Q. What would you think of the proposition to inspect the product of the lobster canneries?—A. Yes, I would agree with inspecting them, to have them all inspected.

Q. Do you think a special staff would be required to do that work properly or could it be entrusted to the existing staff of fishery officers?—A. We are expected to look after that ourselves, the head man of the staff is supposed to look out for it, but you cannot keep the thing right under control because there are lots of people that are careless about chucking things around and other matters and it causes a good deal of trouble for the packer on several occasions.

Q. Do you think it would be possible to insist upon a standard cannery—that a cannery should be operated in a certain way and that rough spruce tables should not be used and so forth?—A. We use zinc on our own tables. Every table is covered with zinc that I use.

Q. Do you think that such equipment should be insisted in all cases?—A. Yes, every factory should have it. No factory should be without it. Lobster is not fit to pack on a table that is not properly covered.

Q. Could you tell us anything about the live lobster industry? Have you had any experience of it?—A. They do not do much in this part of the country, but I have been in New Brunswick and other places where they do ship them alive.

Q. What part of New Brunswick, Charlotte county?—A. All through Charlotte county and up the Bay of Fundy.

Q. Which do you consider the most profitable to the fishermen, selling live lobsters for export or selling them to the cannery?—A. Of course the cannery would be the most profitable because they get ready money. Sometimes in the live lobster trade they lost their money. They get a good price sometimes and then afterwards they get next thing to nothing.

Q. The facilities do not exist here for carrying on that branch of the lobster industry?—A. No. In New Brunswick they can the small lobsters and ship the big ones. It would not pay here.

It has been suggested that an advisory board should be continued for the maritime provinces, somewhat in the same way as the fishery boards in the old country; what would you think of that?—A. I should judge that would be all right.

Q. Is there any fishing out of season done to any extent?—A. Well, the inspectors I think are pretty well after that. They follow it up pretty close in the cutters and I guess those inclined to do it are pretty scared now. We have never done any fishing or packing out of season. There are no packers here that have done any work like that.

Q. Where is most of the fish canned that is taken out of season?—A. Well, to tell you the honest truth, I don't know where they do anything of that kind.

Q. Do you think the illegal lobsters are canned in the licensed cannery?—A. I

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have not been around here when they have been fishing out of season; I have been away in other parts.

Q. What do you think of the practice of abandoning gear in the water?—A. Leaving gear out?

Q. Every year there is a considerable amount of old gear left in the water?—A. I guess that is no dream.

Q. Does that do harm?—A. I don't suppose it does very much good. It does a good deal of harm to the packers when it is left out; it takes a great deal of money out of them.

Q. Have they no way of holding their fishermen responsible?—A. I don't think they have any claim they could make on them. I suppose if the fishermen were worth any money they could make them pay for them.

Q. What do you think of the present method of labelling the cases?—A. The way we do now?

Q. Yes. Do you think it serves its purpose as a bar to the sale of illegally canned lobsters?—A. Of course it saves them from packing them after the season; they cannot ship them.

Q. They manage to get over it some way or other, do they not?—A. The only way they can do it is to hold them over until they can ship them. I don't know how they manage that.

Q. What do you think about shoal water fishing?—A. Of course they lose a lot of gear by putting traps in the shoal water. You may have fishermen fishing with dorys who cannot go out in deep water and would have to fish inshore.

Q. Do you think any limit should be put upon the depth of water at which the fishery is conducted?—A. I don't think it would make much difference in regard to the lobsters whether they fished in shoal or deep water.

Q. We find fishermen fishing down to a fathom of water, and the general opinion seems to be that in that depth of water they are getting a small run of fish, which is destructive to the fishery—A. It is in a season of the year when the fish are coming in.

Q. Shoal water fishing is always done at the back end of the season?—A. The inside fisherman catches them at that time of the season when the fish are coming in. In the spring of the year they go away off and that is where they get their best fishing.

Witness discharged.

HENRY GOTELL, fisherman, Georgetown, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. About ten years.

Q. Do you do any other fishing?—A. I do, yes.

Q. What other fishing?—A. Herring, cod and mackerel fishing and so on, all other fish.

Q. So that when the lobster fishery closes with you you simply take up another branch?—A. There is no other branch to take here in the same way as lobsters. You go down to Souris or some other place.

Q. Do you move down there?—A. Some years, yes.

Q. Have you always fished for lobsters in this place?—A. Yes, I never fished lobsters anywhere else.

Q. You have only fished for ten years for lobsters?—A. I have been fishing for ten years, probably twelve.

Q. Do you own your own boats and gear?—A. Yes.

Q. What number of traps do you fish?—A. 250.

Q. You do not fish alone?—A. I fish with one of the boys.

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Q. When do you begin to fish generally?—A. As early as we can. We used to get our gear out by the 20th. Last year the ice came in and we did not get out until the 26th. The fishermen in the spring want to get out their gear as early as they can.

Q. In what depth of water do you begin to fish?—A. We generally start in the spring in about eight fathoms where I fish.

Q. How far off shore would that be?—A. That would be about half a mile.

Q. Right off the mouth of the harbour?—A. Right off Panmure Reef, the north side of the reef.

Q. Do you fish in the same water all the season?—A. Pretty much. Of course later in the season we shift our lines in, probably one end in three fathoms and the other end at six or seven fathoms. We shift our lines to a different position you see.

Q. What are the conditions of the fishery at those two seasons; what sort of fish do you get when you first begin fishing?—A. Fairly good lobsters in the spring.

Q. When you fleet your traps in do you get the same run of fish that you did in the spring?—A. Well, where we fish there is not a great deal of difference.

Q. Do you think the later caught fish, as a rule, are smaller than those you get at the beginning of the season?—A. There are a few more small ones later.

Q. What percentage of the lobsters you catch are below the legal size limit of eight inches?—A. Quite a few of them.

Q. Would you venture to say how many out of every one hundred?—A. I would venture to say that nearly one half are under eight inches.

Q. At both times of the season?—A. Yes.

Q. In the early spring and later in the season?—A. Yes, sir.

Q. What percentage of lobsters will you get bearing eggs outside?—A. I could not tell you exactly. Last year I marked them down, I had forty-seven.

Q. That was all you caught throughout the season?—A. Yes, I put them in a pound and just kept count of them.

Q. What was the total weight of the fish you caught?—A. Near about 8,000 pounds last year I think, somewhere there.

Q. You say you put the eggs bearing lobsters in pounds?—A. I put them into pounds where there was salt water.

Q. Do you know what happened to them?—A. They went out on their business and went about the bay somewhere and we saw no more of them afterwards.

Q. You did not attempt to hold them?—A. No, sir, they went off. The water was purer there and they could swim about.

Q. Would there be any chance in that place to pen them in?—A. They had the whole bay inside that they could get into and go around.

Q. Has it always been your practice to do that?—A. No, last year was the first year I did it.

Q. Before last year was it the practice that all the lobsters went to the factory?—A. Everything went to the factory with me.

Q. Big and little, berried and unberried lobsters?—A. Yes.

Q. And as far as you were concerned were the regulations ever enforced?—A. Not to my knowledge, not here.

Q. What would have occurred if the packer you sold to had refused to take the berried lobsters?—A. I would have had to chuck them away, I could not do anything else with them I suppose.

Q. Do you think that would be the case generally with the fishermen?—A. I suppose the fishermen, like everybody else, would try and smuggle a few of them. There would be some go to the factory in spite of all you did to watch them.

Q. That might happen by accident?—A. I think it would be in the interest of the fishermen to chuck the spawn lobsters away.

Q. Do you think many fishermen did so?—A. I could only speak for myself. I suppose there would be some of them would take them in.

Q. Do you think the practice of brushing off the eggs was ever followed?—A. I

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never saw it until this year; I could not tell you whether there would be anything of the kind done. I suppose there are certain ways of getting the eggs off.

Q. You never tried it yourself?—A. I saw it this summer at the factory.

Q. It is easily done?—A. Oh, yes, quite simple.

Q. The eggs come off easily?—A. Oh, yes, quite easily.

Q. When the eggs are ripe I suppose they come off more easily than when you first catch the lobsters?—A. They come off the fish easier.

Q. Did you fish as much gear in the beginning as you do now?—A. When we started here the first year I fished I had only 75 traps.

Q. Did you catch as many lobsters with those 75 traps as you did now with an increased number?—A. Yes, just as many.

Q. Is it your opinion that the fishery has failed?—A. It has failed of course.

Q. What do you blame for the failure?—A. I believe the lobsters are getting caught up and they are getting destroyed. The little fish and the spawn fish are getting caught, and so on.

Q. Do you think that decrease is still going on?—A. Well, it is in certain parts of the island I suppose.

Q. How is it in your part?—A. I think it all right enough.

Q. Because you have the hatchery here?—A. Yes, that will be a help to us anyway.

Q. How does the price paid for lobsters now compare with that paid when you began fishing?—A. We are getting more for lobsters than when I started fishing, than they did in former years when we started first.

Q. The lobster is worth a great deal more now?—A. I suppose they are, they must be.

Q. What did you get at first when you began?—A. I remember when we fished here for 40 cents a hundred.

Q. And you had a large run of fish?—A. Yes, a lot better.

Q. Did you get as large this year as last?—A. No, sir, we did not.

Q. How did that come about?—A. They were scarce this year. I guess none of the fishermen got as many this year as they did last.

Q. But I mean about price, did you get the same price as last year?—A. No, sir, we did not.

Q. What did you get this year?—A. Well, to tell you the truth I don't really know. I suppose it would be \$2.50 but I have not got it yet.

Q. You have not squared up yet?—A. No.

Q. Do you think the fishermen gets fair value for his catch?—A. That is hard for me to answer. I suppose they get all the packers can afford to pay but I don't see where they get the value of the fish all the same.

Q. How is the price established?—A. Just by the sale of the fish when they are canned I suppose. It goes a good deal by that. Whatever the packer gets for his fish they pay the fishermen accordingly.

Q. Is there any competition in the matter; is one canner likely to give you more than another, or is the price fixed among them all?—A. I don't think we have any packers here that pay any more. There may be an odd fisherman that will get more, that may make a trifle more.

Q. Do you think the price to the fishermen is fixed among the canners?—A. I think it is.

Q. You think they arrange among themselves the price to be paid?—A. I think so, sir.

Q. Did you ever know a canner refusing to accept undersized or berried lobsters?—A. Well, there was a good while ago they did limit the catch but I was not fishing then.

Mr. MANUEL.—I would like to ask the witness if the price paid the fishermen for lobsters was fixed among the canners?

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By the Commissioner:

Q. What do you think, is there a fixed price established by the packers?—A. To the fishermen?

Q. Yes?—A. I understand so. Yes, I believe it is right.

Mr. MANUEL.—Is it so.

The WITNESS.—Yes, I would say so.

By the Commissioner:

Q. Do you think there is any arrangement made before the opening of the season? It is claimed by the fishermen in some places that the packers put their heads together and establish a price and that the fishermen have to accept it?—A. Well, I would not say that. I could not answer that. That might be done too, of course I could not say.

Q. Do you think you are getting your fair share of the profit from the industry?—A. I am getting the same thing as the other men.

Q. And you are satisfied with what you are getting?—A. Yes, sir, I am.

Q. What would you think was the best way of inducing the fishermen to observe the law, especially with regard to berried lobsters; what would be the best way to go to work?—A. To save up all the spawn fish I suppose and take them to the hatchery or to the factory where you fish and have a certain man——

Q. In some places it is not possible to establish hatcheries. There are localities where it cannot be done. What would be a good way of inducing the fishermen to carry out the law?—A. The only way I suppose would be if you had a boat to call at our factory to take the spawn fish.

Q. What I mean is, you believe it is wrong to take berried lobsters?—A. Yes.

Q. But it is done?—A. Yes.

Q. How could we induce the fishermen to stop taking these lobsters at places where there are not hatcheries?—A. I suppose the only thing to do to them would be——

Q. Would you compel every lobster fisherman to take out a license?—A. And not to catch lobsters unless he had a license?

Q. Yes.—A. I don't know whether that would help them or not. It might. At those factories where they have no place for the spawn I think that would be a good move.

Q. Do you think anything would be gained by getting the fishermen together at different points and explaining to them the wrong done by destroying the berried lobsters; do you think it would make any impression on the fishermen?—A. I think it would.

Q. The Department of Agriculture sends around lecturers to explain the advantage of a rotation of crops, improved methods of butter making and of stock breeding, &c.; do you think the same thing should be done in the case of the fishermen?—A. I should think it would.

Q. Is it the practice of the fishermen to avoid dealing with a canner who is known to be scrupulous on the point of berried and undersized lobsters, and go to cannery who are less scrupulous?—A. I don't know that we have any of that here.

Q. Do you think it will be possible to arrange to buy the berried lobsters from the fishermen and have them returned to the water inshore, where we could be certain of the fact that that would be done?—A. I would not approve of that because there are a lot of these lobsters by the time you get them to the factory that are hardly able to look out for themselves. Some of them might be almost dead and if you chucked them away they would not live.

Q. Is there any period of the fishery when the berried lobsters are more numerous than at an other time?—A. In the month of May.

Q. Have you ever tried holding a berried lobster in your trap to see how she casts her spawn?—A. I never did, sir.

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Q. What would happen do you think if the fishing of lobsters were stopped entirely for a term of years?—A. I suppose it would give the lobsters a chance to improve and increase in number.

Q. What would become of the fishermen in the meantime?—A. They would only have to try something else.

Q. What else would they try?—A. They would have to make a living. The fishermen would have to go cod or herring fishing in the spring. The fishermen are not catching these lobsters you know; the majority of them are caught by farmers.

Q. You think it is not the actual fishermen?—A. No, it is not.

Q. We have been told in a great many places, that if such a suggestion were enforced as closing down altogether, it would mean driving a great many people out of the country?—A. It would too.

Q. What do you think of the present method of issuing licenses; do you think the restriction of canning licenses, as the thing is managed at present, is satisfactory to the fishermen?—A. I would say it is. Yes.

Q. Have you canneries enough in this neighbourhood do you think?—A. Yes. I think we have right here.

Q. Do you think we should limit the amount of gear put into the water?—A. That is another consideration.

Q. We limit the number of canneries but we do not limit the amount of gear.—A. Well, I don't know how that would work around here. We have men that fish 400 traps, one man.

Q. That must be done in very shoal water?—A. No, he fishes in 7 or 8 fathoms. There are some more that fish 200. So it would not suit them very well.

Q. You think it would be difficult to do that?—A. I think it would be difficult to limit the number of traps. There are lots of people have their own traps you know.

Q. What do you think would happen if we lived strictly up to the size limit and did not allow you to bring any lobsters to shore under 8 inches?—A. It just means they might just as well close the shops right down. There is no man that would fish then, they would not put a trap out.

Q. What sort of traps do you fish, the new traps?—A. I have 15 this year.

Q. How do you find them compared with the other traps?—A. They are better than the other traps, because if you cannot get at the trap for two or three days they will hold everything that comes in. After two days the lobsters work out of the other traps, that is the two headers. In the average fishing you will get as many in the old trap as in the new, they are no better.

Q. Do you think that by regulating the space between the slats in the bottom of the trap a larger percentage of small lobsters would escape?—A. There would not be anything in that.

Q. You think it would not allow a fairer proportion of small lobsters to escape?—A. No, sir.

Q. Why?—A. I don't see how they could get out. The minute you haul your trap up, the minute it leaves the bottom, all the fish that is in the trap goes down to the head and they lie there until you get the trap out of the water. The lobsters have no chance unless it is a very small one that will go out.

Q. How small a lobster do you hold in your trap?—A. Five inches.

Q. Do you think there is any use in canning a five-inch lobster?—A. Well, there is not much meat in them for a fact, but still they have got to can them if they are to make a living.

Q. How large a lobster would get out through an inch opening?—A. A 7-inch lobster would squeeze out when the trap is on the bottom.

Q. What do you think about shortening the season by taking ten days off at the end with a view of protecting the lobsters?—A. It would be better if you gave them ten days in the spring, at the beginning.

Q. When would you favour beginning in the spring?—A. Any time from the 20th

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April, we cannot get our lines out much before that. Some years we can, where we fish.

Q. How long does it take you to put out your full amount of gear?—A. About two days and a half, that is in fair weather.

Mr. T. W. MACDONALD.—In an average spring how long does it take you to put out your gear?

THE WITNESS.—Sometimes it takes us ten days. In stormy weather it will take us a week and we do not get at one trap.

By the Commissioner:

Q. How many fishing days do you count on having during the season?—A. I could not really tell you. There are some summers we lose more time than others.

Q. Could you venture to tell me one year with the other how many days you really fish?—A. We lose 10 or 12 hauls some years.

Q. Have you had any experience with the live lobsters industry, have you ever shipped live lobsters to market?—A. No, I never did.

Q. Has any one ever shipped live lobsters from here?—A. Not to my knowledge.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. Well, they might, it is hard for me to say. Some years they would do better I suppose. That is, fishermen never join together to put lobsters up themselves without hiring help. If they did they would make more.

Q. What do you think of the present policy of the department in encouraging fishermen to group themselves together to engage in canning and issuing what they call a co-operative license?—A. You might get a group of fishermen here and you might not. I would not have much to say about that.

Q. Do you think the average fisherman would do better by fishing and selling his lobsters for export alive than going into the canning business?—A. Yes, I would say so.

Q. Have you ever lost your catch of lobsters owing to the canner refusing to accept them?—A. No, sir, I never did.

Q. You never bring the canner enough lobsters?—A. I cannot get enough. They are too glad to get them.

Q. Do you think it is in the interest of the lobster fishery generally, that fish should be taken before they have reached the age at which they can reproduce themselves?—A. It depends on the size of the lobster.

Q. Take the case of the female lobster; you say you seldom see a female lobster under 8 inches with berries?—A. You may see them down to 7. I have never measured them but I have seen them that size.

Q. Not a great many?—A. Not a great many.

Q. Do you think we can ever expect the fishery to continue in a healthy state if we keep on killing off the young?—A. Well, I don't see how we can go on without stopping when they are catching a certain size.

Q. If the fishermen go on catching the lobsters before they reach a certain size what must the end be?—A. We must stop, that is all.

Q. Do you know anything about fall fishing; do you know if it requires the same number of lobsters to fill a pound can in the fall than it does in May and June?—A. I never fished in the fall and could not say.

Q. Do you think there is much illegal fishing done in this neighbourhood, that is after the close of the season?—A. There is in certain parts of it. Take the gulf shore.

Q. What becomes of these lobsters; how are they handled, who buys them?—A. They ship them off. Somebody buys them I suppose.

Q. Are these lobsters canned in the existing canneries?—A. No.

Q. They are canned in the bush and at different places?—A. No answer.

Q. When do you make your best fishing?—A. In the month of May from the 20th April—well from the 26th April.

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Q. You do not begin fishing until the 26th April; it must take some time to get your gear out?—A. Well, a couple of days. I think we packed two days in April one year that I can remember, two or three days.

Q. I do not know that there is much else that I can get from you; is there anything further you would like to say?—A. In regard to this hatchery down here I believe the young fish are let out when they are too small.

Q. What would you think about it?—A. I will just tell you that: I think the fish cannot look after themselves, they are not big enough.

Q. In the natural condition when the young lobsters are hatched out by the mother how does she look after them?—A. Of course I could not say anything about that because I never saw them. But I was saying here this year that I did not believe it would be any use to put them out where they do put them, out in the gulf tide. You bait a trap out there by putting a herring on and a few hours afterwards you would see nothing. The perch will devour it and all the other fish. I believe these small fish should be left in the bays where the mother fish goes to spawn.

Q. Do you think the mother fish goes into the bays to spawn?—A. That is the place they go.

Q. In that case we should not catch lobsters in the bays should we?—A. They don't go into the bay, they go into shoal water.

Q. You think they go into shoal water to spawn?—A. Yes, into shoal water to spawn, that is sure.

Q. Do you think there ought to be any limit put on the depth of water fished in?—A. No, you could not place any limit here because we all fish in shoal water. It is all shoal water.

Q. You do not fish inside three fathoms?—A. Yes, we fish inside two fathoms. Of course we shift some lines at one end. On a clear day you may see the trap on the bottom.

Q. Have you fished in the harbour?—A. I have.

Q. Do you fish regularly in the harbour?—A. No, I fish outside, but I have fished in the harbour.

Q. What class of fish do you get in the harbour?—A. Just as good as you get outside—the same lobster.

Q. You think the young lobster should be held longer in the hatchery?—A. Yes.

Q. And that they should be liberated inshore?—A. In stiller water. They should be left in the bay where the water is still and they are able to look after themselves. Put them in the gulf and some never see the bottom. They are all devoured before they get there. Where a lobster will go down there, even if your eyesight was real good, you could not tell what it was, whether it was the form of a lobster or anything else. I know I could not without using glasses.

Q. The young lobsters are pretty small?—A. Yes, they are very small.

Q. Is that the only thing you have to say?—A. It is the only thing that would be any benefit to the fishing industry when they get them there. It would not be much trouble for the young lobsters to be kept there in shoal water until they got a little bigger to look after themselves.

Q. Of course the reason why the young lobsters are put outside is because it is generally held that the female lobster goes out there before she hatches?—A. Well, sir, that is a mistake.

Q. The female lobster goes out to hatch out her young.—A. That is a mistake.

Q. You think so?—A. I am sure of it. The best fishing we have is from this time out for anybody fishing in shoal water. Those fish would not go out and come in a second time.

Witness discharged.

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ERNEST GRIFFIN, fisherman, called and sworn:—

By the Commissioner:

Q. You heard the evidence of the previous witness, do you agree with it in the main?—A. Parts of it are all right.

Q. How long have you been engaged in lobster fishing?—A. Eleven summers I think.

Q. Do you do any other fishing?—A. Very little, some herring fishing in the spring.

Q. You don't fish for mackerel or cod?—A. No, sir.

Q. You own your own boat and gear?—A. Yes, sir.

Q. How many traps do you fish?—A. Well, this year I had 220. I had only 150 a few years ago.

Q. What is your practice with regard to fishing; when do you begin?—A. Oh, well, this year it was about the 1st of May before I got started. Some years it is earlier.

Q. One year with the other when do you begin?—A. I have seen us started 20th of April when it was all clear.

Q. It depends altogether upon the spring I suppose?—A. Yes, sir, on the spring.

Q. In what depth of water do you begin to fish generally?—A. I fish in 8 and 9 and as high as 12 fathoms, and a lot shoaler.

Q. Do you always fish in the same neighbourhood?—A. No, sir.

Q. You move about?—A. Yes, sir.

Q. What kind of bottom do you prefer to fish on?—A. Well, rocky bottom mostly.

Q. At that depth it is pretty much rocky bottom all along?—A. Yes, sir. There are spots of it that is not.

Q. I suppose the reefs with sand and mud between them?—A. Yes, sir.

Q. How long do you fish out in that depth of water?—A. Well, till the 15th or 20th of June some years. Some years not that long.

Q. How do you decide your movement, what makes you change?—A. Once the water commences to get warm we move inshore.

Q. You follow the lobsters in?—A. Yes, sir.

Q. What depth do you fish in then?—A. A fathom and a half and two fathoms.

Q. That is to say you begin at that and run out?—A. From that to two and three fathoms of water.

Q. How do you set your lines off shore, parallel with the shore?—A. Parallel with the shore generally.

Q. And what is the difference in the run of fish you get in the two places, outside and inside?—A. I don't see much difference this summer. In the spring early there are a few larger ones than at other times.

Q. What is the size of the hoop in your trap now?—A. That is the ring where they go into the hoop?

Q. Yes.—A. Some about 5 inches, some 6 and some smaller, $3\frac{1}{2}$ inches.

Q. Do you think there are many as large as 5 and 6 inches?—A. There are some that I have made that size.

Q. Do you find any difference in the catch?—A. Very little.

Q. Do you think a larger number of lobsters escape from the trap with the large ring?—A. Well, they will with the two headed traps.

Q. What percentage of your entire catch of lobsters would be under the legal limit?—A. I can hardly say, quite a lot of them.

Q. Would there be one-half?—A. No, there would not be one-half. Well, I don't know but what there would.

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Q. Do you find a larger percentage of small lobsters in the spring than later in the season?—A. Well, the most of the small ones I think are caught in June, all along in June.

What percentage of the lobsters you catch are female lobsters with the berries extruded?—A. I suppose there would be 5 or 6 in a hundred sometimes.

Q. And what sort of fish are they generally?—A. A good size. Well, some of them would be 6 and 7 and 8 inches, I think.

Q. Did you ever see a berried lobster 6 inches in size do you think?—A. Yes I have.

Q. Most of them are above 8 inches?—A. No, the most of them are 8 and 9.

Q. What has been your practice in the past? We understand that this year you have been taking your berried lobsters to the factory where the berries were stripped, but what was your practice previously with regard to these lobsters?—A. We generally used to take them to the factory, but last year we chucked them overboard.

Q. Why did you do that last year?—A. Well, we considered it was spoiling the fishing taking them.

Q. If there were only 6 or 8 per cent of the catch berried lobsters it would be a simple matter and not cause you much loss to throw them overboard?—A. No.

Q. As to the undersized lobsters has it been the practice to can them?—A. Yes, sir.

Q. Have you ever known lobsters to be refused by the canner because they were undersized, no matter how small they were?—A. No, I never have.

Q. Do you think it would be a difficult thing to enforce the size limit regulation?—A. I think it would.

Q. What effect would it have upon you as a fisherman?—A. I would not be able to fish at all.

Q. Would it put you out of business?—A. It would.

Q. Are you of the opinion that the industry is failing, that it is not as good now as when you began to fish?—A. Well, I don't see much difference in it.

Q. Still you told us you caught a larger quantity of fish years ago with a much smaller number of traps?—A. Yes, but I think there are as many caught as there used to be only there is more gear to catch them.

Q. Do you think the average size of the fish is as great as it used to be?—A. Well, since I started——

Q. Do you not think the fish are smaller?—A. I don't think they are much smaller than when I started first, but years ago they were larger.

Q. Various propositions have been advanced for the protection of the fishery. One is that we should close down altogether for a number of years and in the meantime it is supposed the lobsters would recuperate and grow larger; they grow pretty rapidly?—A. Yes, sure.

Q. What would you think of that?—A. I would not think it would work.

Q. How do you think it would affect you individually?—A. I would have to go somewhere else.

Q. There is nothing else you could turn your attention to on the spot by which you could make the same amount of money?—A. No, sir.

Q. Are you satisfied with the price you obtain for your lobsters?—A. Oh well, it is not too bad.

Q. How many do you sell in a season?—A. I sell by weight.

Q. What do you receive in your case where you are using your own gear?—A. Different years there is a different price.

Q. What was the price this year?—A. I got \$2.50 this year.

Q. Last year it was a little more?—A. Yes, sir.

Q. Do you understand that the decrease in price was caused by a drop in the market?—A. Yes, sir.

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Q. And you think that the reduced price this year was a natural consequence of that?—A. Yes, I do.

Q. Have you any feeling that you are not treated fairly in the matter, that there is any combination on the part of the canner to keep the price down?—A. I don't think so.

Q. Is there any fishermen's union here?—A. Not right here.

Q. Is there one in the neighbourhood?—A. Well, down at Launching.

Q. What do you think of the proposition to compel all lobster fishermen to take out a license? Of course the fee would not be excessive but something nominal. The proposition means that we would have to register the fishermen?—A. I guess that will be all right.

Q. Do you think those who knew themselves to be registered fishermen would be more careful about observing the regulations?—A. I don't think it would make any difference.

Q. Are you satisfied with the present method of licensing canneries; you know the number is restricted and the only new licenses granted are to co-operative associations of fishermen?—A. Well, I don't know that it makes a great deal of difference. They can get fishing stands. Lots of them have fishing stands here and there and smack the lobsters to the factory; they only pack in one place.

Q. What do you think of that practice; there have been complaints about having stands at a distance from the cannery?—A. Oh, I don't know.

Q. Do you think there is any sufficient reason why any man who shows his ability to pack, has the necessary capital, and understands the work, should not get a license?—A. No, I don't think so.

Q. Do you think that the policy of the department in encouraging the fishermen to group themselves together and take out a co-operative license is a good one?—A. I would not prefer it myself.

Q. In your opinion, would the average fisherman make more money if allowed to pack on his own account than he does at present?—A. Well, I think he would.

Q. If licenses were issued generally would it be possible to establish a standard of fitness in canning?—A. I don't know as it would.

Q. What do you think about limiting the amount of gear fished?—A. I think that would be all right.

Q. What would be the best way to do it?—A. Cut down the number of traps to a boat.

Q. And not allow them to fish any more than a certain number of traps?—A. That is what I would think.

Mr. T. W. MACDONALD.—What number of traps would you consider fair?

The WITNESS.—To a single boat I would say 175.

By the Commissioner:

Q. And a double boat?—A. About 250. I think that would be plenty. I know if all hands had just that many they would catch as many lobsters.

Q. Is there much crowding on the fishing grounds?—A. Yes, lots, too much.

Q. Is there much overlapping and running across each other?—A. There is in places quite a lot. Some places it is all right though.

Q. Is the custom of stripping or washing off the eggs from the female lobster practised here, or was it practised before the hatchery was established?—A. I could not say.

Q. You never saw it done?—A. No, I did not.

Q. Is it to your knowledge that any fisherman has ever lost his catch of lobsters through the packer refusing to accept them?—A. No, not that I know of.

Q. What is your idea of hatcheries; do you think they do good work?—A. I guess they do all right, I don't know much about them myself.

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Q. Have you ever fished on the south side of the Island?—A. No, sir, never.

Q. Some fishermen down there claim they are benefited by the hatchery at Caribou?—A. Yes, sir, they say so.

Q. You have never felt that benefit here, the good influence of the hatchery does not extend so far?—A. No, sir.

Q. Do you know anything about the live lobster trade?—A. No, sir.

Q. Do you think there would be anything gained by insisting upon a regular and greater width between the slats of the trap?—A. No, I don't think it will make much difference.

Q. Do you not think a larger proportion of small lobsters would escape if that were done?—A. No, I don't think it would, because as long as the bait is in they will stay in it. Once the trap is disturbed they go to the end.

Q. And they do not escape?—A. They do not escape.

Q. Do you know if there is any place in this locality where a pound could be established?—A. I suppose there could be lots of places. There is a pound at Panmure Island.

Q. What is the bottom?—A. It is a kind of dirty bottom although it might be all right.

Q. What do you mean by that, soft mud?—A. Soft, dirty mud.

Q. Is there eel grass there?—A. I don't know that there is eel grass.

Q. What depth of water is there?—A. I guess there is but little at low tide.

Q. What do you think of the proposition to do away with the size limit and restrict the season by taking off ten days, or taking off a certain time, in July?—A. Ten days would be all right, but it would be hardly worth while commencing to fish, because it is a very short season by the time you get your traps out.

Q. Do you think it would have the effect of improving the fishery; would you save a considerable proportion of lobsters by cutting off those ten days?—A. I guess there is not many caught anyway in July.

Q. We would not save very much if there are not many caught; the question is would we save enough to make up for not enforcing the size limit?—A. I would think so. What time would the season open, the same as usual?

Q. What time do you think the season should open?—A. I say from the 20th or 26th April. Some springs it does not suit but very seldom.

Q. How would it affect you to open the 1st January?—A. I would sooner have a certain day to fish.

Q. What is the advantage of a certain day?—A. It gives everybody the same chance in starting. Some would put out their lines a month ahead of others if the opening date were the 1st of January.

Q. What is the best time in your fishing?—A. The months of April and May, from the time we start up in April. Some years you won't land any at all; other years you will.

Q. There is no desire to have fall fishing here, is there?—A. Well, I don't hear very much about it, I don't think so.

Witness discharged.

GEORGE GRAHAM, canner, Gaspereaux, called and sworn:—

By the Commissioner:

Q. Are you engaged in canning?—A. Yes, sir.

Q. You run a cannery?—A. Yes, sir.

Q. Is the cannery at Gaspereaux?—A. Yes, sir.

Q. How long have you been engaged in lobster packing?—A. 16 years.

Q. What number of boats do you employ?—A. We have 16 this year.

Q. Are they all fishing your gear?—A. Yes, sir, pretty much. There may be one or two that do not.

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Q. Are the fishermen fishing by weight or by count?—A. By count. On the coast from Emerald Island to Beach Point it is all count.

Q. What number of hands do you employ in the cannery?—A. About 12 I suppose at one part of the season.

Q. Are the boats mostly double, two men in a boat?—A. Double and single.

Q. What number of cases did you pack this year?—A. 350.

Q. You have the same season that they have here, from the 26th April to the 10th July?—A. That is right.

Q. Do you pack from the opening to the close of the season?—A. We caught lobsters on the 6th of May this year.

Q. And did you keep on fishing up to the last day of the season?—A. Yes, sir, up to the last day.

Q. Where are the traps placed in your neighbourhood in the opening part of the season?—A. They are placed from the shore to five miles off.

Q. In what depth of water?—A. It would be anywhere from 2 fathoms to 12.

Q. Do the fishermen all fish through the season in the same depth of water?—A. In the same depth.

Q. Once they set their traps they remain there?—A. Yes, they move very little.

Q. And what is the difference between the catch outside and that inside?—A. Some of the men that fish right against the shore have just as good lobsters as those five miles outside.

Q. Do they begin to fish as early?—A. Just as early. The lobsters won't be so good in shore right early. They won't strike the shore so early as outside.

Q. So the far off fishermen get the lobsters a little earlier?—A. A little earlier, perhaps a week or three or four days.

Q. And you think when the outside fishermen begin to catch lobsters you will likely get them inside within about a week?—A. Yes, sir.

Q. What class of lobsters do you get to-day compared with those you had when you first began canning?—A. I would say they would go about double to the can then.

Q. What will they go to to the can now with you?—A. They went 11½ to the pound can this year.

Q. What proportion of these lobsters will be below the legal size limit?—A. It would be pretty hard to tell, a large proportion.

Q. What do you call a large lobster down where you are?—A. 9 and 10 inches.

Q. Do you still get some of the old fashioned large lobsters?—A. Oh, we get some of them. They have went two lobsters to the can. Two years ago they went nine to the can. and this year 11½.

Q. Has that decrease in size been gradual?—A. Not gradual, no. There is a new style of trap started down there that we attribute it to. What we call the four headed trap.

Q. Is that is what is called the wheeler trap?—A. We call it the parlour trap. It has four heads.

Q. And what do you attribute the decrease in the general run of lobsters to?—A. Well, we have attributed it to the trap.

Q. You do not attribute it to over-fishing?—A. Well, the fishery is no more over-fished than it formerly was.

Q. Is there no more gear fished in your waters than there used to be?—A. Oh, there may be a little more.

Q. Are you not fishing more gear now than when you began to operate?—A. Oh yes.

Q. And is it by the increased amount of gear you fish that you keep up your pack?—A. That is what we have to do, keep increasing our gear to keep our pack up.

Q. What is the average number of traps fished per boat?—A. Anywhere from a single fleet, 225 up to 300.

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Q. What proportion of the lobsters you take would be egg-bearing lobsters?—A. I would think about two per cent.

Q. You are beyond the reach of a hatchery, they do not send down to you for eggs do they?—A. Yes they do.

Q. And I suppose this season you have sent your eggs there?—A. Yes, sir.

Q. What has been the practice in regard to berried lobsters up to this season?—A. Oh well, they were taken.

Q. Did you ever make any attempt to refuse taking them from the fishermen?—A. Oh well, there was very little attempt made.

Q. What do you think would have happened if you had refused to take them?—A. Well, one packer would take them and another would not.

Q. Had the fishermen adopted the practice of brushing the eggs off the female lobster down there?—A. Well, the packer never refused to take them at all and——

Q. Consequently the fisherman did not need to do it?—A. They did not have to.

Q. What is the smallest sized lobster you have seen carrying eggs?—A. I don't think below 8 inches.

Q. Where they have been counted there would only be about one in a hundred thousand as small as seven inches?—A. Yes, sir.

Q. But as a rule they are good sized lobsters?—A. Nine and ten-inch lobsters.

Q. Are the berried lobsters as good for canning purposes as the female without eggs or the male lobster?—A. We don't know of anything to the contrary.

Q. They are generally full of meat and good lobsters?—A. Yes, sir.

Q. You have not noticed whether the meat of the berried lobster is softer and more spongy or anything of that kind?—No, sir.

Q. We never heard it was until yesterday in Charlottetown, when some people made that claim. Are you within reach of the lobsters from the hatchery at Caribou, are you among those that have experienced benefit from that hatchery?—A. I don't think so.

Q. Some fishermen on the south shore of the Island, above you, claim they have derived benefit from that hatchery, that they see schools of small lobsters?—A. There are a lot of small lobsters this last few years but whether it is due to the hatchery or not I cannot say.

Q. You are inclined to say the catch of small lobsters is due to the trap?—A. It is the trap we blame.

Q. What would happen to you if the law were rigidly enforced as to the size limit and so forth?—A. It would close our factory.

Q. What do you think is the best way of getting the fishermen to observe the regulations and save the berried lobsters; some people propose to license them?—A. There would be no difficulty now that there is a hatchery here.

Q. All the eggs go to the hatchery now?—A. Every fisherman takes an interest in it and the packers also.

Q. Do the fishermen receive anything extra for the berried lobsters at all?—A. They just get paid for them.

Q. How does the present season suit you down at Gaspereaux in regard to the opening and closing?—A. We think the season is about as good as it could be made.

Q. The opening date, 26th April, suits you very well?—A. Fine.

Q. Are you much bothered with ice in the early spring in your neighbourhood?—A. We are sometimes.

Q. The ice is not gone before that date, one season with the other?—A. Very seldom here.

Q. A number of propositions have been made by those interested in the business for the better protection and building up of the fishery. It seems to be generally admitted that the fishery has run down and some people propose knocking off fishing absolutely for a term of years.—A. That would be a bad thing.

Q. That would be a pretty severe measure would it?—A. Yes.

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Q. The Lobster Commission of 1898 proposed a partial closing down of the fishery, a closing down by sections.—A. It would be pretty hard to regulate that satisfactorily.

Q. Still another proposition is to do away with the size limit entirely and shorten the season a little. The berried lobsters must be saved, and, after the eggs are taken to a hatchery, placed in pounds, where that is possible, or returned by the fishermen to the water.—A. That would be the best thing to do if anything has to be done.

Q. If anything has to be done you think that is the best measure to adopt?—A. That is the best measure.

Q. How would it affect you to close the season on the last of July?—A. It would protect the industry of course.

Q. Do you think enough would be gained by doing that to compensate for taking immature lobsters?—A. It is pretty hard to tell.

Q. Then as to the matter of the trap; complaints have been made to the department that the parlour trap is unnecessarily destructive?—A. Probably it is.

Q. What is your opinion of it?—A. I would like to see the trap stopped by all means.

Q. What trap would you suggest in its place?—A. Nothing but the old two-headed trap we used to use.

Q. What do you think is the limit of space that should be established between the slats; we find in some places that the slats are only half an inch apart; that seems to be very close?—A. They should be opened up to three-quarters or an inch.

Q. Is the practice of leaving gear in the water followed down on your coast at all? We are told there is a great deal of gear left in the water, that the fishermen do not take it up when the season closes, but leave it there?—A. Not much good gear. There was a good bit this year because there was a stormy season and a lot of it was destroyed.

Q. I do not mean gear that is accidentally lost, but valueless gear which is abandoned instead of being brought ashore?—A. Well, there is some every year I suppose.

Q. Do you think leaving this gear in the water does not do any harm?—A. It does not do any harm.

Q. How soon does that gear go to pieces?—A. A storm will smash it up and it is destroyed very quickly.

Q. Does the worm known as the borer damage your traps very much?—A. If they are left in the water they will.

Q. Now as to the matter of licensing canneries, what do you think of the present system? For some years back the department has refused to grant new licenses, has it not?—A. Yes, sir.

Q. Except where a number of fishermen have grouped together and applied for a co-operative license; do you think the number of canneries should be limited, that there are canneries enough?—A. I would rather not answer that question.

Q. Do you think there is any reason why any man who shows his ability to pack should be refused a canning license?—A. It would be treating every man fairly.

Q. In your opinion should what is called co-operative canning be encouraged?—A. I daresay it would be all right.

Q. What was the season when you first began canning?—A. We had no season then; we could run our lines when we liked in the spring.

Q. And you fished up to when?—A. Up to the 15th of July I think.

Q. What do you think about fixing a date in the spring; in your opinion, is it a wise thing to do?—A. It is a good thing.

Q. From the point of view of the lobster is it a good thing? Does it in any way affect the lobster?—A. Not the lobster, but it saves a lot of gear.

Q. What do you think of the proposition to license the fishermen?—A. I would allow every man that wanted to fish to do so.

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Q. If he fishes in an illegal way what would you do with him?—A. There is not much illegal fishing on our coast.

Q. Is there any fishing after the season?—A. It is very small I think.

Q. Was it greater at any time than it is now?—A. Yes, sir.

Q. Have you any idea how the lobsters that are caught after the season closes are marketed?—A. No, sir, I have not.

Q. What do you think of the present system of labelling the cases; is it entirely adequate? The idea was that it would prohibit the sale of illegally packed lobsters, but it does not seem to have had that effect?—A. There can be fraud used I suppose.

Q. Is there any other way of labelling the cases, or anything that can be done, that will stop illegal packing?—A. Well, I don't know of any.

Q. What is the best period of the fishery on your coast?—A. In May.

Q. Has there ever been any attempt in your locality to ship live lobsters to market?—A. No.

Q. There are no facilities for establishing that trade?—A. No, sir.

Q. Do you think the price paid to the fishermen at present gives them a fair share of the business?—A. Yes, sir.

Q. Have you heard the fishermen complain they were not getting enough for their lobsters?—A. I would rather they would answer for themselves.

Q. Do you think the existing penalties, if they were enforced, are sufficient to deter packers from violating the regulations?—A. Yes, sir.

Q. To your knowledge has a penalty ever been inflicted of recent years for violating those regulations?—A. Not on our coast.

Q. According to the evidence here some people would prefer to open the fishery on the 1st of May and others on the 20th April. What is your idea as to the best date for this part of the Island?—A. If there is going to be any change at all it would be better to have the 1st of May, but it is satisfactory the way it is.

Q. In some places fall fishing has been asked for; what do you think would be the effect of that?—A. It would have a very bad effect. I would not like to see it at all.

Q. Do you think it would be wise or possible in issuing a license to a cannery to fix a limit to the amount of gear that should be fished?—A. It will be pretty hard to regulate. Some of the canneries are very large establishments.

Q. To your knowledge is there any arrangement or any combine on the part of the canners to keep the price down?—A. Not to my knowledge.

Q. The price is governed by the state of the market?—A. By the market.

Q. Do you think it would be wise to have the product of the canneries inspected?—A. I don't think it would be any use. Everybody tries to pack the best article they can.

Q. You think they do?—A. I think they do.

Q. Are there not some canners where the article put up is not what it might be?—A. Well, it is their loss, they cannot sell.

Q. Do you think we ought to establish any standard for canneries, that we should insist upon the tables for instance, being of a certain style?—A. I think pretty much every canner has everything as clean as possible, the tables and so on.

Q. How are the tables covered in the canneries?—A. The most of them are covered with zinc I think.

Q. You think they should be covered with something?—A. Yes, sir.

Q. Is it the case, as alleged, that fishermen have lost their catch of lobsters by the canner refusing to accept them?—A. Not on our coast.

Q. It has also been alleged that in some cases fishermen have suffered loss by the failure to operate the canneries although a sufficient supply of lobsters was available; has such a thing ever occurred here?—A. No, sir.

Q. It is further alleged that in some places the canners have associated together

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and shut down, and in that way left the fishermen out in the cold; such a thing has never occurred here?—A. No, sir.

Q. Are most of the men engaged in the lobster fishery professional fishermen, or are they farmers who fish only for lobsters?—A. Well, they are both but they are all good fishermen.

Q. We find in a great many places that those in the fishery are not regular fishermen, that they fish for lobsters only and when the season is over go back to the land?—A. Well, a lot of them are that way, they just fish during the lobster season.

Q. Would you recommend an increase in the number of hatcheries?—A. Yes, sir, I would.

Q. Are there any facilities in your neighbourhood for the establishment of pounds?—A. I don't think it.

Q. What do you think about inshore fishing in the heads of bays and in lagoons and shallow water generally; do you think there ought to be any limit to the depth of water in which traps are set?—A. No, I do not think so.

Q. You do not think that inshore fishing is more injurious than outshore fishing?—A. No, sir.

Q. Do you not get a larger proportion of berried lobsters inshore than you do in deeper water?—A. They might at the last of the season in the harbours, but still the hatchery now takes those lobsters.

Q. But I am alluding to places where there are no hatcheries, they cannot have hatcheries everywhere?—A. We generally find a lot of egg-bearing lobsters at the first of the season.

Q. Do you notice a difference in the eggs as the season advances?—A. Yes, sir.

Q. Have you ever experimented by holding berried lobsters to see what happened to them?—A. No, sir.

Q. In some places they have held them in crates or in the traps?—A. We can see the eggs getting ripe and coming on.

Q. Is it an easy matter for the fishermen when taking them out of the trap to make a selection between the egg-bearing lobsters and the others?—A. Yes, sir.

Q. Is it an easier matter to do that in the boats than at the factory?—A. Yes, sir, that is the place where they should be separated.

Q. Would you like to state anything of your own accord?—A. No, sir.

Witness discharged.

WILLIAM D. GRAHAM, fisherman, Gaspereaux, called and sworn:—

By the Commissioner:

Q. Do you fish off Gaspereaux?—A. Yes, sir.

Q. How far off shore?—A. Well, this year I fished a long way off, I suppose possibly eight miles off the shore.

Q. In what depth of water?—A. From eleven to thirteen fathoms.

Q. When did you begin to fish out there?—A. About the 1st of May.

Q. What number of traps do you fish?—A. 290.

Q. I suppose fishing at that distance you are not alone, you have somebody with you?—A. Yes.

Q. Are you fishing your own gear?—A. No, sir, the gear belongs to Charles Graham & Co.

Q. How were you fishing, by count?—A. Yes, sir.

Q. At what rate per hundred?—A. Ordinarily the price was 75 cents for outside fishermen per hundred. The conditions under which I fished were a little different to that.

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Q. Was that a lower price than you had last year?—A. Considerably.

Q. What did you get last year?—A. I got \$1.15.

Q. On the same terms?—A. No, not exactly the same terms.

Q. Were you fishing their gear?—A. Yes, sir, for the same firm.

Q. Did you fish the whole season through at that distance from the shore?—A. Yes, sir.

Q. Right on from beginning to the close?—A. From where I put my gear the 1st of May I moved out farther.

Q. Instead of coming in you went out?—A. Yes, sir.

Q. And how did the fishing hold on that ground?—A. It held very well.

Q. What is the nature of the bottom where you fished?—A. Where I had my fishing gear was rocky bottom.

Q. I suppose you always prefer to fish on that kind of bottom?—A. Yes, sir.

Q. In that depth of water you would not be liable to any loss of traps from storm?—A. No, sir.

Q. I suppose, all other things being equal, the loss of traps is greater in shoal water than in deep water?—A. Yes, by a great percentage.

Q. Is there any fishermen's union where you come from?—A. No, sir.

Q. Are there many fishermen fishing on that spot?—A. Oh, yes, but none out as far as I was.

Q. How many boats are there?—A. There are two factories there together and between thirty and thirty-two boats.

Q. But nobody fishes out where you are far off shore?—A. No, sir.

Q. Have you fished there long?—A. No, sir, that is the first season I fished at that distance.

Q. How did you find the fishery out there compared with that closer in?—A. Well, I generally do better than any one along there, but of course there was no other gear there but my own.

Q. You had the whole place to yourself; was the fishing constant all through the season, was your average about the same?—A. Well, the average went down some, but the lobsters were better out there the last of the fishing than inside.

Q. You had bigger fish?—A. Bigger fish and more of them.

Q. What percentage of fish did you take out there below the eight inch limit?—A. Well, I could hardly say, but I know the factory tried my lobsters, packed them alone, and they took from nine to ten to fill a can.

Q. The factory kept your lobsters separate?—A. They have tried them separate at different times.

Q. Was that to find out how your lobsters ran as compared with the others?—A. Yes, sir.

Q. I suppose this year you brought in all the berried lobsters and the berries were taken for the hatchery?—A. Yes, sir.

Q. Up to this year what was the practice?—A. Well, the practice was to can them, but for the last three or four years I made a practice of throwing them away myself. I let them go out of the trap.

Q. You believed it was the right thing to do?—A. Well, I believe in protecting them. I believe the hatchery is the best way all right enough.

Q. But you believe in saving the berried lobster anyway?—A. I believe in saving her when the berries are taken off.

Q. Do you think it takes a larger number of traps now to give you as good average fishing as when you began first to catch lobsters?—A. Oh, yes.

Q. There is no doubt about that?—A. No doubt at all.

Q. In that respect fishing has failed?—A. It has failed. I don't think it has failed in the number of lobsters. There is a terrible lot more gear to catch them, but a man in order to make the same amount of money has to have more gear to make a living.

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Q. Although he may get the same weight he catches a much greater number of fish?—A. Oh, certainly, yes, sir.

Q. What do you think of the proposition to require the fishermen to take out a license and to register, do you think it would have any beneficial effect or not?—A. What benefit would there be in taking out a license?

Q. The idea of those who propose the thing is that those fishermen taking out a license would feel more or less guardians or protectors of the law, that they would be more likely to obey the law themselves and inform on others who did not; do you think it would have any such effect?—A. If that was the intention I would think it was a very good one.

Q. How do you think it would work out in practice?—A. I don't know.

Q. Do you think if the fisherman had a printed slip in his pocket giving him the right to fish lobsters it would make very much difference in his behaviour?—A. It would with possibly a majority of them.

Q. There would be that much gain then?—A. Yes, sir.

Q. How does the price paid for lobsters to-day compare with what you got when you first began to fish?—A. Prices are higher than when I commenced to fish.

Q. Much higher?—A. Well, when I commenced to fish first, that is 16 or 17 years ago, lobsters were 50 cents a hundred.

Q. By count?—A. By count and people found themselves. Now it is customary for the packers to find the gear. At 75 cents a hundred they find and board you and everything else.

Q. Is there any competition in the matter or are you obliged to take the price offered you?—A. Well, we were obliged to take it this year.

Q. Last year had you more option in the matter than this year?—A. Last year we could make our own price.

Q. There was a great demand for the lobsters then?—A. Well, I guess possibly there was. This year the packers would not give us any price, we could not get a price until we were done fishing and then we had to take what they offered.

Q. The price was not fixed at the beginning of the season?—A. Not fixed along our shore anyway.

Q. Do you think the price you obtained bore a fair ratio to the value of the product ultimately; do you think you got enough for your lobsters?—A. I don't think I got enough for them but I think possibly the packers paid all they could under their present system of operating factories. I don't think they operate the factories right at all. I think the fishermen should get more if they were operated right.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. I don't know. The packers that are fishermen are making more money.

Q. What about the fishermen that are packers?—A. The fishermen that are packers and the packers that are fishermen; of course they are spending more time at it.

Q. Talking about that matter. What do you think of the present system of licensing canneries? There are no new licenses issued unless it is to what is called a co-operative association where a number of fishermen unite and form a partnership for canning purposes. The department at present is disposed to encourage that style of thing; what would be your suggestion with regard to the matter of licensing canneries?—A. Well, I could hardly say.

Q. Do you think that every man who shows his ability to conduct the canning business properly should be given a license?—A. Well, I think so in a way, if they had a mind to do so. I don't know that it would be good for themselves altogether.

Q. I suppose it may in some cases?—A. That is for every one, for every fisherman to have a license? It would not do.

Q. You do not think it would do to issue licenses to can to people indiscriminately?—A. No, sir, I do not.

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Q. You think we would have the right to exact some standard; the canning you know must be done in a certain way?—A. Yes, sir.

Q. Do you think that every man who applied for a license should be granted one provided he demonstrated that he was able to can properly?—A. I think so, and if he failed it would be his own loss.

Q. Is there any particular season of the year when you see more spawn lobsters than at another?—A. Yes, sir. In deep water where I fish, all the spawn lobsters are caught in the first of the season. I get none at all in the last of it.

Q. What would you take that to mean, that the spawn lobsters had passed inshore and inside of you?—A. I would think so because they were catching them inside at that time.

Q. Do you think it is safe to hold that the female lobster goes inshore to spawn?—A. Well, I would suppose by that that they did.

Q. Would you expect to get a better average run of fish in deep water than in shoal?—A. Yes, sir.

Q. What style of trap do you use?—A. Well, it is the parlour trap.

Q. Some people claim that trap is unfairly destructive, that it catches too large a proportion of small lobsters and holds everything that goes into it?—A. Yes, sir, it does so.

Q. Do you think yourself that it is a more killing trap, that it is unfairly destructive?—A. Well, I would say that the parlour trap is all right of itself if the slats were far enough apart to let the small lobsters out.

Q. How far apart would you put the slats?—A. I would say if you start in with a space of about seven-eighths of an inch apart round and round the trap—not merely one lath at the bottom, I don't believe in that. That is very easily changed. I would like to see the space seven-eighths of an inch apart round and round the trap.

Q. What sized lobster would that allow to escape do you think?—A. Well, some years ago we had a law here for a space of one and a quarter inches and that was supposed to let out anything under 9 inches. I suppose seven-eighths of an inch would possibly let out between 5 and 6 inch lobsters.

Q. You understand these things pretty well; do you think it would be possible to enforce the regulation?—A. I think it would.

Q. I mean the regulation regarding the size?—A. The size limit?

Q. Yes, as it stands at present, could it be enforced?—A. Without opening the traps at all?

Q. Regardless altogether of traps. The law requires you not to take any lobster under 8 inches in size; is that an easy law to enforce?—A. I don't think so. It could not be enforced and allow the fishermen to fish and the packers to operate, not in this part of the country.

Q. What do you think of the proposition to do away with the size limit, fix a standard for traps, and knock off fishing on the 1st July?—A. I think if the size limit was done away with and slats opened enough to let small fish out, that would save all bother with the size limit.

Q. Without shortening the season at all, would it cripple you to cut off the season on the 1st of July?—A. No, sir, it would not. There is nothing caught after the 1st of July. A man might make wages, but that is all.

Q. The idea of doing that would be that in a very short time the fishing would improve?—A. Certainly.

Q. And you would make up for any loss you sustained?—A. Certainly. That is true enough; that is what we want.

Q. You think such a regulation would have the effect?—A. Yes.

Q. To your knowledge have the canners in your neighbourhood ever objected to receiving berried or undersized lobsters?—A. No, sir.

Q. Has it been the practice on the part of the fishermen in your neighbourhood to

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avoid dealing with a canner who is known to be careful in this matter?—A. No, sir, there has been nothing of the kind carried on here.

Q. Has any fisherman, so far as you know, ever lost his catch of lobsters by the canner refusing to accept them?—A. No, sir.

Q. What do you think of the proposition to close down entirely for a while?—A. I think it would be a pretty severe blow to this Island. We would have to make a shift then.

Q. Within your experience has there been much decrease in the fishery within the last five or ten years? Do you think the diminution is steadily going on? Some people claim that it has reached bottom and it is not getting any worse the last few years, that the damage was done in the earlier years when you fished a longer season and had many extensions allowed?—A. I believe there are more fish caught here year after year; that is my opinion. Of course there is more gear to catch them.

Q. Then you believe there is a greater number of fish to-day?—A. And more cases of lobsters packed, that is what I would think.

Q. Do you know anything about the live lobster trade?—A. No, sir. As far as more cases being packed, I believe this year there was a smaller pack. You take the last five or six years, I believe——

Q. How is your individual catch compared with last year?—A. Mine was better compared to last year by a good lot.

Q. Was that experience general?—A. No, sir, it was not.

Q. Do you know anything about the matter of placing lobsters in pounds? A good many people recommend saving the berried lobsters by placing them in pounds where they can be kept until they hatch out their berries and liberating them at the close of the season. Is there any place in your neighbourhood suitable for the establishment of a pound?—A. No, sir, I don't think so. We have a narrow inlet and deep water, but I think the smaller fish would destroy the spawn.

Q. What kind of fish do you mean?—A. Perch, smelts and small codfish. I think the spawn should be put in deep water.

Q. You think the young lobsters should be delivered in deep water?—A. I think so.

Q. Why do you think that?—A. When there is less small fish they float for a certain time. That is what they claim anyway, and we know for a fact that they do float.

Q. And it is the only period in their lives when they prefer to go ahead rather than go backwards?—A. That is true enough. I think the deeper the water the fewer fish there are to prey on the young lobsters, and for that reason they stand a better chance of coming to maturity.

Q. How are the young fish distributed at present?—A. All right I think. I saw a man putting them out this year, and as far as my opinion goes he did it all right.

Q. Do you think the lobster in these waters is as hardy as the lobster anywhere else? Some people have stated that the island lobster will not stand transporting as well as the Atlantic lobster?—A. I cannot say as to that at all.

Q. Would it take more lobsters to fill a pound can in the fall than in May or June?—A. I do not know, but I do not think it would.

Q. Do you think lobster fishing, as a general rule, should be kept farther out from the shore?—A. Well, I don't think so.

Q. I suppose you hope to be left alone off shore?—A. Well, people fish where they like I think.

Q. Your best fishing month is in May?—A. Yes, from the middle of May to the middle of June. That is this year.

Q. Do you know enough about the matter to express any opinion as to whether there is more money for the fisherman in the live lobster trade than in selling lobsters to the cannery?—A. No, sir, I do not know.

Q. I do not know that there is anything more I want to ask you particularly

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about. Is there anything else you have in mind that I have forgotten?—A. No, sir, I don't think so. I think there ought to be a change somewhere.

Q. Well, what change do you suggest? What we are here to try and find out if possible, is what is the best thing to be done?—A. My opinion is to open up all the slats in the traps and let the small lobsters out and allow a man to fish whatever style of trap he pleases.

Q. As long as he leaves a little distance between the slats of the trap?—A. Leave a little distance between the slats in the trap and enforce that law. There is no use in having a law unless it is enforced.

Q. Take the size limit law, it has never been enforced, and it seems difficult to enforce it?—A. I believe if the slats were open enough and we had inspectors here who were given the right to go around a few days before the lines were run and smash every trap that was built below the limit, it would be all right. I believe the lobsters taken are too small and we want protection for that. That would be my way of starting. We have to measure lobsters and throw them away, but if the slats of our traps are open enough they will go away and we don't know anything at all about them.

Mr. T. W. MACDONALD.—May I ask a question? I understand Mr. Graham to say that he thinks the spawn lobster comes inshore to spawn.

The WITNESS.—Yes, I think that.

Mr. T. W. MACDONALD.—You also stated that you thought the young lobsters should be distributed in deep water?

The WITNESS.—Sure enough.

Mr. T. W. MACDONALD.—That makes out that the spawn lobster when it comes in to spawn does not come to the right place because according to your argument they should spawn in the deep water instead of inshore. The natural instinct of the lobster apparently does not agree with the way the young lobsters are distributed. That is the way your story appears to me.

The WITNESS.—It is pretty hard for the spawn lobster to know where the perch live. It may be the natural place to spawn inside. The fact remains that at the spring of the year I caught all my spawn lobsters in deep water and at the last of the season the fishermen caught them in shoal water. As for spawning I don't know where they spawn. Possibly they are spawning there now and we get them there again.

Mr. T. W. MACDONALD.—We are catching spawn lobsters with the ripe spawn on them right in the harbour.

The WITNESS.—Right in the harbour, they are there now.

Mr. T. W. MACDONALD.—And we were of the opinion they spawned in there. It is an opinion open to discussion and it is one point we would like to have cleared up if possible.

The WITNESS.—Certainly.

Mr. T. W. MACDONALD.—Some people claim the female lobster spawns in deep water and some that she spawns in shoal water. The practice of the department is based on the theory that the fish go inshore until the spawn is ripe and then they go outside to spawn. The department is basing its action in regard to the hatcheries on that theory.

The WITNESS.—Certainly.

Mr. T. W. MACDONALD.—We want to find out if possible, and verify that theory or prove it to be false, one or the other.

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The WITNESS.—I think the spawn lobsters go inside to spawn.

Mr. T. W. MACDONALD.—Do you not think the small lobsters inshore in the sheltered waters, would really have a better chance to live than out in the deep water? We find just as many perch on the outside fishing ground in warm weather as we do inside. We cannot keep the bait in the traps, that is what the fishermen tell us. Do you find it that way?

The WITNESS.—I do not. The perch may be just as plentiful out there, it is a very hard thing to say. In deep water you would not see them, of course. I believe the lobsters come inside to spawn and if the hatchery carries the young lobsters out to deep water they really stand a better chance of saving them. The lobster has a certain place to spawn and perhaps she wants warm water for it. Still I believe the young should be put into deep water for more reasons than one. If they were put into shoal water it would not do, they would be killed.

Witness discharged.

WILLIAM MACKENZIE, fisherman, Gaspereaux, called and sworn:—

The WITNESS.—Just about the spawn lobster. I know something about the spawn lobster and the way she spawns. When I was that high (illustrating by a gesture) I carried them from the shore at spawning time, from under the rocks, without a boat at all. They had come in there to spawn under the rocks on the shore but the tide fell and left them there dry for three hours and the spawn dropping off them. That was not in very deep water.

By the Commissioner:

Q. How often have you noticed that?—A. Well, I have grown up on the shore where the factories are, I have lived there all my lifetime.

Q. Where is that?—A. Gaspereaux.

Q. And your opinion is that the lobsters spawn inshore?—A. Yes, sir, they spawn inshore. They like to come there to spawn. I suppose they will go anywhere at spawning time, but that is their home to spawn, inshore.

Q. What part of the season do they come in the greatest abundance?—A. They will not strike the shore until the weather gets pretty fine, some time in June I think.

Q. Would you expect to get a larger proportion of spawn lobsters inshore?—A. You will get more inside in spawning time than you will out.

Q. If that is the case do you think it is wise to allow them to be caught inshore; we have to protect the spawn lobster some way or the other?—A. How to protect the spawn lobster, that is the mystery.

Q. It is a mystery.—A. It is a mystery, sir. I am going to tell you that early in the spring, as early as you can get gear out you get them. Is it any more trouble or any more destructive to catch them away out than in? You get them coming in. They are heading for the shore from the time the weather gets warm and according as they go through all the gear the fishermen will catch them at different times. Everything shows you that. As early as the ice goes away you catch them with the spawn on and I have caught them in the fall, as full as you like, with spawn on them yet, ready to spawn. When there is spawn on them they are bound to spawn.

Q. You have seen some of them in the fall and you think therefore that they spawn all through the season?—A. That is what I mean. If you commenced to fish again and fished until the snow flies in the fall you will get full spawn lobsters and as many as in the first fishing in the spring.

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Q. Do you think the eggs hatch out in the cold water at that season?—A. I could not tell you whether they hatch outside or not, but I know that in the first gear they set outside, the outside gear, they will catch spawn lobsters but the inside gear will catch the most.

Q. The experts tell us that the lobsters that have not hatched their spawn at the time the water begins to get cold, retain that spawn until the next season. We would not expect any fish like the lobster to hatch out her spawn when the water was getting colder; she will require warm water to do that. Your theory does not coincide with that?—A. I could not answer that. I have said I have caught them late in the fall with the spawn full on the tail. It is not for me to know whether that spawn stays on them until next spring or not. That is a thing I do not know.

Q. Are you still fishing lobsters?—A. Yes, I fished them this year.

Q. How long have you been fishing?—A. I think thirty-three years.

Q. Have you fished steadily right along?—A. I did until some eight or ten years ago.

Q. What is the condition of the fishery to-day compared with what it was when you began to fish?—A. I need not tell you that in the first part we could catch with half the gear more than the factory could put up. But that was when we fished with the old open trap. Now they are reducing it down to a fine business.

Q. What do you think has led to this decrease, what has been the cause of it?—A. The lobsters have got smaller all the way through.

Q. Are the lobsters growing smaller, do they not grow big now at all?—A. I suppose they would grow as big if there were no traps catching them.

Q. Do you not think it is reasonable to say that the cause of the diminution in the average size of the lobster has been the overfishing?—A. Well, sir, I think myself these tight traps have got a little to do with it.

Q. You think they catch an unfair proportion of very small lobsters?—A. Well, they hold the small fish that would get clear in bigger traps. To live up to the size limit you would have to throw out half of your catch to-day, and to-morrow throw out more than that and keep throwing them out every day.

Q. Do you think that by enlarging the space between the slats the small fish will go out; some fishermen tell us they will not?—A. I have an idea: If you put six lobsters in a trap and there are three large ones and three small ones, the big ones will put out the small ones, either that or kill them. I think that because I have got small ones killed in the trap lots of times. We know the small ones will not stay where there are many big ones; they have got to get out if there is room for them to get out. I know that.

Q. Do you think that the regulations as regards undersized and spawn lobsters have ever been observed within your recollection?—A. No, they have not. Of course I have fished under the nine inch law when they had to chuck out lobsters under nine inches.

Q. Was that law enforced at that time?—A. I don't know. But that is what we had to do, we had to chuck out everything under 9 inches.

Q. You have to chuck out everything under 8 inches now, but is it done?—A. It is not done.

Q. Was it done when the regulation was 9 inches?—A. Under the firm I fished for at that time it was pretty nearly done. It was that closely done that you could give two 9-inch lobsters for a larger one if you liked.

Q. They counted two for one?—A. Two for one. If the firm would do that it would be two for one.

Q. Do you ever remember anybody ever being fined or punished in those days for breaking the law?—A. I think there was some trouble too if I recollect but I don't remember the whole business.

Q. Have you ever known anybody to be fined lately?—A. Not lately.

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Q. That is as to the size limit?—A. Yes, sir.

Q. What was the practice in those old times with regard to the berried lobster?—

A. Take everything you could get big enough.

Q. So it is safe to say that regulation has never been very strictly enforced?—A. Never very strictly wherever I have fished.

Q. What is your proposition as to the best means of sustaining the fishery? You heard the evidence of the other witnesses and there is no use in going into the matter at great length. First explain what you would do with regard to shutting down altogether, or shutting down in sections, or doing away with the size limit and shortening the season.—A. Shutting down is a kind of business that would be hard for people that have got an awful lot of gear on hand and everything of that kind. I would try something better than that. I think if you do away with the parlour traps and make the fishermen use the old fashioned traps they had before, it would be a better business.

Q. How would it affect you if we took ten days off the end of the season?—A. It would suit me all right and as far as I know it would suit the packers.

Q. And what do you think about the date for opening the season?—A. About the opening of the season there is a great difference in the years. Last year we asked for five days off ours and we got it. I think taking it all through it would suit very well for us.

Q. You think the present date, 26th April, would suit?—A. I think it would. If there was any change at all take a little more off. It is poor then for the fishermen, it is bad on gear and it is bad for the packers.

Q. What would you think of a season from the 1st of May to the 1st of July?—A. Just two months. It might suit sometimes. Well, I don't know. I am a fisherman and sometimes in July we never made much and I don't think that the packers made much. The lobsters at that time are getting soft shelled and are not very good. Of course I have nothing to say on that, but I know enough to know that they did not make very much after that, neither the fishermen or the packers. As to the spawn lobster, as I said before, I have been in the business and understand that pretty well. About the spawning time I always said, and say yet, that the department nor anybody else can decide the time when the lobsters spawn because I have caught them in the spring when there was any amount of ice—you would have to let go your gear to keep clear of ice—and I have caught them in the fall as late as a boat could get out, and there is spawn on them at all times of the year.

Q. There is no doubt about that.—A. And for spawning time that is a thing I cannot tell.

Q. Where they have hatcheries they find out by experience?—A. I believe in hatcheries. Take the spawn off the spawn lobsters whenever you get them and you save them. The hatchery is all right enough. Clear of that I don't know what you would do about the spawning season. I do know that when a little boy I was on the shore you could fill a cart with spawn lobsters. You could fill a cart at any time with a fork alone when the tide would drop and leave the spawn lobsters there full of spawn ready to come off. You will find these little lobsters, just as you see them in the hatchery, when you are digging clams for lobster bait in the eel grass. They are little things just as you see in the hatcheries. That is where the lobsters spawn and that is where there are no perch or anything else to eat the spawn. I do not think they want deep water at all, because there are times when they have the spawn on them they are fighting to get ashore. There is one question you did not ask me and that is about the license business. I think it is important and I want to have something to say about it. If we are not dealt with rightly and properly we can hold the license to fall back upon. If we are not dealt with properly we can do better by means of the license. If that is shut off from us we have no protection at all, the factory can do as they like with us.

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Q. Do I understand from you that any man ought to get a license?—A. A corporation of fishermen, if they operate a factory can do better. I do not want that loophole shut off because if that is done there is no remedy at all for us. I want that loophole left for the fishermen, so that if not rightly dealt with they can do better. That is what I want.

Q. You would like the fishermen to club together and get a license for themselves?—A. To club together and get a license. I don't want that shut off.

Witness discharged.

WILLIAM LAMONT, canner, Cape Bear, Murray Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster business?—A. Off and on 30 years; 13 years down here at Murray Harbour.

Q. Previous to that where were you carrying on business?—A. At Bell river.

Q. Are there many other canneries licensed in your neighbourhood?—A. Well, there is Prowse & Sons' and my own, and E. M. Jordan's, a couple of miles ahead, and all along the shore where there is any room. Not so many factories, but we allow there is a great deal too much gear. It has got crowded every year.

Q. What number of boats do you employ?—A. I only employ from 7 to 9 boats each year simply because we have not got room, and for that reason it does not pay to put out more boats.

Q. That is to say you are crowded out?—A. Crowded out.

Q. Where do your boats fish?—A. Off Cape Bear east.

Q. How far off shore?—A. This year and the last year or two we are getting some of them out into deep water right on the reef. The first years we used to fish quite close in, from half a mile to a mile.

Q. What would be the depth of water?—A. They used to fish in from 3 to 5 and 6 fathoms of water.

Q. And now what is the depth of water fished in?—A. Now we have some of them out in 10 and 12 fathoms.

Q. You fish right off Cape Bear or in the direction of Pictou island?—A. Right off Cape Bear reef and that extends off to Pictou island.

Q. Are those boats mostly manned by two men?—A. Yes, always manned by two men. There is a strong current on that reef and it is very hard for one man to manage.

Q. Are gasoline engines being adopted more and more on the boats?—A. There are some. One of my men had one this year, but it is not a great success.

Q. Did he not do any better than the men without a gasoline engine?—A. No, he did not do so well.

Q. What number of people do you employ in the cannery?—A. We have about 12 hands inside.

Q. Men and women?—A. From 12 to 14.

Q. What was your pack this year?—A. My pack this year was somewhere about 250 cases.

Q. What was your pack last year and the year before?—A. Last year that same amount of gear packed about 400 cases. The year before about 350.

Q. What was the best pack you ever made?—A. You mean the average to the boat?

Q. What will you average, 50 or 60 cases?—A. Yes, from 50 to 60 cases. That was our general average up to this year. This year our boats get the average number of lobsters, but they were small.

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Q. How do you pay for your lobsters, by weight or count?—A. By count. The packers all buy by count and the usual thing is in Rome to do as Rome does. The fishermen think it pays them better.

Q. You find it difficult to get the fishermen on any other lay?—A. Yes. We had no reason to complain very much until this year. For the last five years up to this year our lobsters improved in size and in quantity. Thirteen years ago when I packed the first lobsters at this place we had to close down about the middle of June, the 14th of June. We had not enough to pay, the bait gave totally out. Then it came on. About six or seven years we fished up to about the 20th to 28th of June, and we thought that was marvellous. The last three years we have been doing better in July than in May. The last two years we fished up to the 10th July. The lobsters were smaller, but we got a good number of fish. I think two years ago, or a year ago last spring, we struck a school, or rather a school of big fish struck us. About the last day of June or the 1st of July each boat caught from 500 to 600 to a haul. They were uniform in size and dark, like a good school of deep water fish. When the fish get scarcer at the close of the season we get small speckled ones. But these were small black ones, say 5 or 6-inch lobsters, and my opinion is they were from a hatchery. They were very uniform in size and they packed well; they were full. This year we did not get them, it was an off year with fishing. We had a continuation of northeast heavy winds that appeared to keep the fish in deep water.

Q. You own the gear used by these boats?—A. All the gear except that one man owns his own gear this year.

Q. What is your idea about this matter of spawning, do you think the lobsters come to shore for the purpose of spawning?—A. Well, I think any fish comes to shore for the purpose of spawning. That is my opinion, as far as I have seen. As to the spawning season the lobsters do not appear to have any regular time to spawn. Some springs we get hardly any spawn lobsters; other years we get a good few. We get them sometimes in the spring and sometimes in the last of the season, and so on. They appear to differ every year. The only remedy I have got to suggest in regard to spawn fish is that they should not be caught. I was always opposed to catching them, but when the fisherman wants to can everything he catches we cannot very well afford not to.

Q. You have to treat your fishermen the same as other people treat them?—A. Yes.

Q. Otherwise you would not have them at all?—A. No.

Q. As to the spawning habits of the lobster there is a great difference of opinion even among experts. Some of them claim the lobster spawns twice a year, others that she spawns only every two years, and others again that she only spawns once a year. The general opinion is that if the spawning season has passed and a lobster has not hatched out her eggs, she retains them until next year; the eggs will not hatch out in cold water?—A. It is not at all likely. They appear at the last of the season to go into shoal water, the large ripe lobsters. I have noticed them in different years. Even this year we got fine large lobsters right in two or three fathoms of water.

Q. The temperature is always higher in that shoal water?—A. All our fishermen but one were inclined to move their traps in. For my part I regard it as risky. I would always prefer fishing in deep water for I think it is a protection to fish and to the packer and fishermen as well.

Q. Do you think that inshore fishing could be controlled by any regulation? In many places they have suggested to us that a regulation ought to be enacted compelling people to fish in a certain depth of water and prohibiting fishing where the water is too shallow?—A. Well, unless the department can do it the packers cannot. The fisherman is cock of the walk; when he gets his gear he does pretty much as he pleases.

Q. About the opening of the season, what do you think of that?—A. I am personally satisfied as it is. There is only one year that we ever did anything worth while in April. That was about 9 years ago, and we commenced to pack I think about the

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24th of April. As a rule, we seldom do anything before the 1st of May, and it is quite a risk then. Of course opening on the 26th April is very good. I think if the weather is fine then it just gives the men time enough to put their gear into the water and be ready for operations by the 1st of May. That gives us two months.

Q. You have heard the various propositions that have been suggested to the department as the readiest way to bring the fishery back to its former standing; which of them do you find the most reasonable?—A. I believe if the small fish were protected it might go a little against the fishermen or packers here for a year, but lobsters grow very fast.

Q. How would you go to work to protect the small fish?—A. I think the trap has a great deal to do with it. I was always opposed to parlour traps, but this year I had to allow some of them in or I would not get the fishermen to fish because everybody else had them. Certainly the man with the old-fashioned trap could not fish alongside the man with the parlour trap, because the latter would get all the lobsters and hold them. The parlour trap holds everything that comes in it. I had the two kinds this year side by side, and they gave me the chance of judging as to their respective merits. I allow that we had 50 per cent more small lobsters of 5 inches out of the wheeler traps than out of the other. These small lobsters are practically no good for anything, it is a waste of fish. They would be bigger lobsters by and by if allowed to grow for a few years. Now they make their traps that small you can hardly get your little finger between the laths. When I used to get traps made first the rule I had was to have a wide enough space for the fishermen to put the pole of his hatchet between the laths. It was at least fully an inch or a little better.

Q. They used to use a lath then as a gauge, did they not?—A. Yes, sometimes.

Q. Then you think a good many small lobsters could be saved by altering the style of trap?—A. Most undoubtedly, because the little lobsters can go in and out, and when the big ones come in they drive the little ones out.

Q. What do you think of the regulation fixing the size of the lobster at 8 inches; if it were strictly enforced could you get along at all?—A. Well, it would suit us very well if we could get fishermen.

Q. Do you think you would get enough fish over the 8-inch limit to keep you going?—A. We might if we could get the men to fish. The difficulty would be to get fishermen because they would be afraid of it. Another thing, it would be a very difficult law to live up to. The great difficulty is to enforce these laws.

Q. They have never been enforced?—A. Never properly enforced, and it is very hard to enforce them. It would take an army of men, a man posted at every factory, to do it.

Q. What would you think of the proposition to do away with the size limit altogether, but fix some standard of trap with a reasonable opening?—A. I think that would be the easiest way, the only practicable way.

Q. And then in addition cut off the fishery at the 1st of July?—A. I don't know that that would make very much difference. I don't think anybody would lose very much by it. Of course we fish for a little while, about a week or so, but as Mr. MacKenzie said there does not seem to be much money in it for the fishermen or packer. There is only one thing with us: We sometimes have material on hand that we have got to use up. The fishermen do fairly well some years in July and some years they do not, but if they did not do it this year they would next year, and the fish would be improving.

Q. Would you be in favour of increasing the number of hatcheries?—A. I would. I have great faith in hatcheries.

Q. Then I understand you to say that you would agree to let the season open as it does; do away with the size limit, fix a standard of trap that would not be so killing and shut off fishing after the 1st of July?—A. Yes.

Q. You think that proposition would be quite reasonable?—A. I think it would.

Q. And you think it would be the means of pulling up the fishery in a few years?

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—A. Yes, it would. Then as to illegal fishing, the law ought to be strictly enforced. There is not so much of it done now, but the great difficulty is, it is not done by packers and regular fishermen, but very often by farmers, and well to do farmers, and the packers suffer by it. Sometimes their gear is taken and used.

Q. Is there much of this illegal fishing after the season is closed?—A. Not very much now because I think it is hard to market the product. There is another thing in regard to the matter of licenses that was spoken of. Licensing factories does not appear to me to serve the end it was intended to serve because there is no limit to the number of traps. Now, I think that is one of the greatest evils to-day. There are too many traps, too much gear used, and the ground is over-crowded. I think I am within the mark, and I will leave it to any fisherman here—and there are lots here who will bear me out—one-third of the traps now in the water do not fish; they are foul of each other. Supposing Smith and Jones set their traps here. They are crowded for room and Smith gets foul of Jones to-day. To-morrow or the day after they get clear, and Jones gets foul of his next neighbour. Stormy weather sets in and two or three trawls may be left there a whole week at least. The fishermen may get tired and disgusted and leave the gear there. That is a thing that happens very often.

Mr. MACKENZIE.—There is fully more fishermen and more gear than there ought to be. A little less gear and a little less fishermen I think would be better.

The WITNESS.—We do not catch all the lobsters, I agree, and if there were a less number of traps it would be less labour for the fisherman and he would get as many lobsters; there would be far more room and less loss, expense and risk to the packer. There are factories running 10,000 and 15,000 traps. Well, now, that would run 3, 4 or 5 ordinary factories, do you see. So there is where the law has failed. What has been aimed at? As far as the license is concerned I am a packer and I believe anybody has got as good a right to a license as another man if there is room. But it is not to protect any man that this license is issued or any packer at all; it is to protect the industry. I suppose the fishermen understand that as well as anybody else. In my opinion, the license is to protect the fishery, to put a limit on the number of traps, and it is no matter who has a license. I think these two things are of importance: To make a standard trap that will save the small fish and then limit the number of traps. The department can tell what the number of traps is. They know the number of canneries now, and they know the total number of traps and it would be an easy matter to deal with. Supposing they cut off one-third of these traps or more, and then have a limit to the traps. If a factory wished to have less it would be their own affair, but they should not be allowed to go beyond the limit.

By the Commissioner:

Q. There should be a limit?—A. There is a license and licensed traps are put in the water every year and never seen any more. Of course there is no room for them, they get over-crowded, they get piled up and are left there.

Q. Do these traps ultimately disappear or do they do any harm?—A. I don't suppose it is a very good thing for them to be left on the ground, that is sure.

Q. They would break up and disappear, would they not?—A. I suppose after some time they would.

Q. What is the life of a trap with you?—A. From two to three years. Sometimes they last three or four.

Q. Do you suffer much from the borer?—A. No, we do not.

Q. Is there anything else you wish to say?—A. I do not know that there is anything more. I have advocated limiting the number of traps and in my opinion it is most important. It is clear to anybody there are three or four ends it serves: It serves the fishermen, the packer and the industry in general, and it does away with all

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the dissatisfaction in the spring. Of course there is a rush in the spring to get the ground and men take great risks. There would be no trouble about the time of starting if it were not for this. If there was plenty of time people would take their good time to go out and there would be no trouble.

Witness discharged.

SAMUEL HEMPHILL, fisherman, Georgetown, called and sworn:—

By the Commissioner:

Q. Where do you fish?—A. Off Boughton Island.

Q. When do you generally begin your fishing?—A. This year the 26th April.

Q. What number of traps do you fish?—A. I fished 275 this year.

Q. Are you using your own boat and gear?—A. No, sir.

Q. For whom do you fish?—A. A. A. MacDonald Bros.

Q. Then you use their gear?—A. Yes.

Q. In what depth of water do you begin to fish?—A. In about 8 fathoms.

Q. How far off shore does that take you?—A. About three miles.

Q. Do you remain fishing in that depth of water all season?—A. No, sir, we shift in.

Q. About when do you shift in?—A. About the middle of June we commence to come in.

Q. Why do you shift in?—A. The fish keep coming in all the time.

Q. You find they have passed you and you have got to follow them to make a catch?—A. Yes.

Q. What percentage of the fish you take in deep water in the spring are below the size limit of 8 inches?—A. Oh, well, I don't know, I could hardly answer that. It would average from about 7 to 9 inches and there are larger ones than that. That would be about the average.

Q. When you move in do you get as large fish as outside?—A. We get better fish.

Q. In the shoal water?—A. That is if you are on rocky bottom. If you are on clear sand you get smaller ones.

Q. You find you get better fish on rocky bottom than you do on sand, larger fish?—A. Yes, sir.

Q. Now as to the matter of berried lobsters how is it with you?—A. Oh, well, we get them in the spring of the year when we are coming in, from the beginning of the fishery. They slacken down a little as the season gets on. The heft of the lobsters is in April and May. If we shift in we get a quantity of them again.

Q. How many female lobsters do you expect to get per hundred?—A. Out of four hundredweight, or out of 400 lobsters, you get 15 or 20 berried lobsters. Some days there will be more and some days less.

Q. You think you get them about the same average all through the season?—A. No, sir.

Q. When do you get the most of them?—A. They are more plentiful in the spring.

Q. Have you always fished about the same number of traps?—A. No, sir, when we began fishing here we only fished 50 traps.

Q. How long ago is that?—A. It is a long while ago, 30 years or more.

Q. Where did you fish then?—A. Off Burn Point reef.

Q. How did you do with those 50 traps?—A. Very well.

Q. What season did you fish from?—A. All the season round.

Q. There were no regulations at all?—A. For a few years and then we used to knock off along the summer when the fish were spawning and shelling.

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Q. I think you knocked off in the month of August then?—A. Some time about the last of July or August.

Q. When did you first begin to notice that the fishery was failing?—A. I cannot say it is failing.

Q. Do you think it is as good as it was then?—A. Yes.

Q. Do you think you get as much to-day as you did then with 50 traps?—A. No, sir, but look at the quantity of gear.

Q. Do you think you get lobsters of the same size and weight that you got then?—A. No, they were better lobsters then although we had very small ones then too. But our laths were further apart then. An inch is what we used to have at that time.

Q. Do you ever get the same proportion of large sized lobsters to-day that you did 30 years ago?—A. No, sir.

Q. So they have run down in size?—A. Yes, sir.

Q. What do you attribute that to?—A. I do not know, I expect the larger ones are caught up. The small ones could escape but the large ones could not.

Q. But I suppose if the small ones survived they would become large ones in time, would they not?—A. Yes, sir, if they are let alone.

Q. Has the amount of gear greatly increased within your time?—A. Oh, yes.

Q. What proportion does it bear now to what it was originally?—A. There were when I started fishing just two factories. One factory had only, I think about 200 traps. That was Kennedy's.

Q. Do you remember what number of cases they put up with 300 traps?—A. No, I do not. I think it could be found out pretty easily.

Q. The number of fishermen have increased too?—A. Oh, yes.

Q. And the amount of gear they each fish?—A. Yes, sir.

Q. Would you say to what extent the gear has increased, has it doubled?—A. Oh it has trebled.

Q. More than that even I think?—A. More than that.

Q. Do most of the fishermen in this neighbourhood own their own gear?—A. Most of them fish for firms who own the gear. There are a lot of them that own their own gear.

Q. What are most of the fishermen, are they bona fide fishermen who spend their lives fishing?—A. No, sir, there is a big lot of farmers fishing.

Q. And when the lobster fishery is over they go back to the land?—A. They go farming.

Q. You are a fisherman are you not?—A. I have been at it all my lifetime.

Q. And when the lobster fishing is over you go back to some other branch of the fishery do you?—A. Yes, sir.

Q. What can be done here with other branches of the fishery?—A. There is fishing for cod, haddock and herring.

Q. Is there any mackerel fishing now?—A. Very few, there is hardly any this year.

Q. Is there any spring mackerel?—A. None this year, there were some last year.

Q. What would you think, from your experience as a practical fisherman, would be the best way to observe the law especially with regard to berried lobsters?—A. Well a start has been given here to protection.

Q. That is all right where you have a hatchery but what should be done where there is no hatchery?—A. I don't know. I expect there would be a lot of them hove away, but there would be a lot of them taken.

Q. Do you think the berries would be brushed off the lobsters outside?—A. Likely.

Q. Are the fishermen in your opinion getting any more careful, are they beginning to understand better the necessity for observing the regulations?—A. No, sir. I think to put myself with the rest they are pretty careless.

Q. Are you satisfied with the price you receive for your lobsters?—A. I expect we have got to be. We could take more if we got it.

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Q. The price varies I suppose from year to year?—A. According to the price of them abroad.

Q. Do you think there is any combination on the part of those in the business to fix the price?—A. I think it is very likely.

Q. Would you expect the canner to take all the lobsters you brought to him, regardless of whether they were undersized or not?—A. There are a lot of lobsters that are no good to me or the canner, from 8 inches down and the like of that.

Q. But where you are selling lobsters by count I suppose there is a great temptation to count everything?—A. I suppose there is.

Q. You go by weight do you?—A. Yes.

Q. What do you think about the spawning season of the lobsters?—A. Well I think our lobsters come in here on the shore and bed in the eel grass in our bays. They spawn right there and stay there until they are shelled.

Q. Is there any particular time they have to spawn?—A. It is hard to say. I don't think anybody knows how the lobsters spawn because in the spring of the year when we start fishing we get young lobsters on the kelp beds, haul them on our traps right along. When will they spawn? I believe the fish do go into spawn, and the young fish grow right in our bays. Here in the fall of the year you go down about a sandbar, anything a little weedy, and get out just about dark at night and you can see small lobsters all over that place.

Q. It is very difficult to distinguish one marine animal from the other when they are very small?—A. I know these are lobsters. As to dumping the young fish outside where I fish, a barrel of them would be just about 15 minutes' food for the other fish there. You can gaff them from the side of the boat, codfish and everything else.

Q. Near the surface of the water?—A. Right on the surface of the water.

Q. What is the size of the smallest female lobster you ever saw?—A. I have got them 6 inches in size. I would not say exactly six inches but near about.

Q. How do they generally run as to size?—A. They are generally from 8 to 9 and 10 inches.

Q. Generally a good lobster?—A. Yes, we got some very large ones this spring.

Q. Before you had the hatchery established here did the fishermen as a rule wash the eggs off the berried lobsters or bring them in?—A. No, sir, brought them in.

Q. Do you think the cannery have had these lobsters forced on them against their will?—A. Oh well, I don't know. I did not hear any objection. Last season we hove all the spawn lobsters away.

Q. What do you think of the proposition to license fishermen?—A. I think it would be a fine thing.

Q. Why would it be a fine thing?—A. Well if I took out a license to fish I would be entitled to fish where I wanted, I don't see much else it would be for.

Q. You think the license would make you more careful in observing the regulations?—A. Yes, I think it would.

Q. It would lead you to inform on anybody that was fishing in an illegal way?—A. I think it would be right that any fisherman should do that. They have a right to make a living out of the fishing.

Q. Would it be any use in trying to instruct the fishermen on the subject of the observance of the regulations?—A. I think it would be a very good thing.

Q. A competent person would have to be sent; do you think it would have a good effect if the fishermen were more thoroughly instructed as to the necessities of the case; would they do better?—A. Yes, I would like to learn a little more myself.

Q. You have heard the evidence given by the other fishermen; does it tally with your views?—A. There is another little proof I want to give you of lobsters spawning in on the shore. At the Magdalen Islands there is Grand Entry Bay. That bay is 7 miles wide and about two-thirds of it is shoal. At low water you can walk all over it. Well that is honeycombed with lobsters all through and they claim those lobsters come in there and spawn.

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Q. Yes, they do, and they go out again in the fall.—A. And the lobsters never move after they spawn until they shell. They go down in the mud and stay there. If we have an extension for ten days we go in on the mud. At first we don't get any fish but all at once we get the newly shelled lobsters.

Q. With regard to those extensions, is it the case that when you had them you always came in closer to shore to fish?—A. Yes.

Q. What do you think about those extensions, did they do harm or good?—A. They did harm.

Q. Do you think that once the dates are fixed for fishing they should not be changed?—A. No, sir. We have got long enough now. If we fish to the 10th July we get a long enough time because then the lobsters are soft shelled.

Q. How about the proposition to knock off at the 1st of July and do away with the size limit altogether?—A. That would be the best. Then we would not be troubled with these shelling lobsters at all.

Q. And in that way during those last ten days you would preserve a good many lobsters that would be otherwise lost?—A. Yes.

Witness discharged.

Mr. T. W. MACDONALD.—There is one point I would like to bring up before all the packers go away and that is in regard to gathering spawn—the present system. We think it can be slightly improved on. At least that is my opinion and I would like to have the opinion of some of the other packers. Under the present system, the lobsters are brought to the factory, the spawn is scraped off by the packer, and it has to be kept there.

The COMMISSIONER.—Kept on trays?

Mr. T. W. MACDONALD.—Kept on trays and when the boat comes around from the hatchery, the usual thing is to send a boat after the spawn. They come ashore and take the spawn on the trays away. If it happens to be a stormy day they do not come at all, and in the meantime a good deal of that spawn is destroyed. I understand from the man in charge of the hatchery that spawn not gathered on the day it is taken from the lobster is worthless.

The COMMISSIONER.—Worthless?

Mr. T. W. MACDONALD.—Yes, I thought that if the department would arrange to supply each factory with something in the shape of a car or crate that could be kept anchored off the factory. As the spawn lobsters came in instead of the spawn being scraped right off and left on trays, the lobsters could be placed in the crate and held. If that crate was anchored off the shore far enough it would not be affected by stormy weather, the boat from the hatchery could go right alongside and the man in charge take the berries off the lobsters. Then he could replace the lobsters in the crate. It would save the lobster factory people the necessity of having to go out, especially on a busy day, bringing these lobsters ashore and then taking them off again. It would also, I think, save a great deal of the spawn.

The COMMISSIONER.—How long does it take to remove the spawn from a lobster?

Mr. T. W. MACDONALD.—I suppose a couple of minutes will take the spawn off an average lobster.

The COMMISSIONER.—What is the average number of lobsters that you will have to scrape the spawn off in a cannery per day.

Mr. T. W. MACDONALD.—It is a question I am not quite able to answer. Mr. MacFee would be able to give you more information on that, or the man in charge of the hatcheries here.

The COMMISSIONER.—He is at the hatchery and gets the eggs when they are brought there.

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Mr. T. W. MACDONALD.—He goes around and informs the people about it and makes frequent trips to the factories. This is only a suggestion of my own and I would like to have one or two of the other packers express their opinion on the method of gathering the spawn.

The COMMISSIONER.—We will be very glad to take the evidence of any one who wishes to say anything on the subject. It will be reported, along with the rest of the evidence, to the Parliamentary Committee for them to deal with. Mr. MacFee, what do you think about the matter, what is your idea about the system of collecting eggs?

Mr. MACFEE.—As I stated in my evidence I think there have been a great many eggs destroyed in taking them off roughly. I fall in with Mr. Macdonald's views. We may do the best we can and put a man there to take the eggs off the lobster but he may not do it just as we wish, and if we had a crate and had the spawn lobsters placed in that crate they would be there when the boat came from the hatchery.

The COMMISSIONER.—Could you give us any idea of the average number of berried lobsters, per boat we will say, that is brought to the hatchery in a day?

Mr. MACFEE.—I could hardly do that. I did not keep count of that myself this year. Sometimes we get as high as 24 or 25; sometimes we only get 3 or 4, it is according to the size of the catch and the weather.

The COMMISSIONER.—Do you think it would be possible to hold them in a crate?

Mr. MACFEE.—Yes, I don't think there could be any doubt about that.

The COMMISSIONER.—Just the same as we hold lobsters in any other crate?

Mr. MACFEE.—Yes, it would not need to be a very large crate you know, there would be nothing heavy to hold. The only trouble would be in the event of a storm. As Mr. Macdonald said we cannot keep the spawn. Well, during a heavy storm when the boat from the hatchery could not get round, those lobsters could remain in the crate and the hatchery man would have to take off two day's spawn instead of one. As a general rule on the days when the boat cannot get down we cannot get any lobsters.

The Commission adjourned.

SOURIS, August 6th, 1909.

FRANK H. WHITE, Souris, called and sworn:—

By the Commissioner:

Q. How far back does your connection with the lobster industry date?—A. To 1851.

Q. Were there many canneries in operation at that time?—A. The industry was in its infancy. There were about five canneries in a small way only.

Q. Were they operated in this neighbourhood?—A. It is in Nova Scotia I am speaking of. They did not commence on the Island until some years later than that.

Q. What part of Nova Scotia was it?—A. The southern part of Nova Scotia, in Yarmouth County.

Q. Who were those canneries owned by?—A. One was owned by my father. Previous to that my brother had one. There was also the firm of Payzant & Kanaut, Liverpool. The son is packing now at Rockport.

Q. What was the extent of the pack made by those people at that time, was it small?—A. We had to build up a market. We thought we were crowded when we had 500 cases, we did not know what we were going to do with them.

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Q. Where was the market for lobsters at that time?—A. London and Liverpool. We would ship direct to London if we could, but the facilities for shipping were not as good then as now. We would ship the lobsters direct to Liverpool and place them in the hands of an agent in London.

Q. Was it long before the industry developed into something more considerable?—A. In Nova Scotia it did not develop, neither on this Island for years and years until after the Americans came here. They could compete with us in their own goods; give more for the lobsters than we were giving, pay more wages and then undersell us in the English market.

Q. When did the industry first begin to increase rapidly in volume?—A. About 1870.

Q. And was that increase brought about by the fact that the Americans came here?—A. Yes, the fact that the Americans came here.

Q. What induced them to come in?—A. Because the lobsters were getting short in the state of Maine, not getting short exactly but the prices were getting too high. They were shipping them alive and they could get more for them alive, ten and twelve cents apiece, when the factories would only give them two and three. Then all the live lobsters were shipped away, and the factories had to put up the small ones or close down, which they have done now.

Q. There is no canning in the State of Maine now?—A. No canning in the State of Maine.

Q. It is all a live lobster trade?—A. All live lobsters.

Q. When did you cease your connection with Nova Scotia and become interested in packing on the Island here?—A. I will answer that in a little different way. In the first place I went from Nova Scotia to the State of Maine and I was there four years in charge of one of the largest factories, W. K. Lewis Bros. They are all dead now and the business is all gone out. They had one of the largest establishments in the State of Maine, not for lobsters alone but packed everything and they had factories in different places. I was there four years, and then from there I came to Nova Scotia with the firm that I was working for—they had moved then their business to Nova Scotia. It was one of the first canning establishments in the city of Halifax, and I was general manager of four or five factories there. Then they began to cut down the prices after a while. I wanted to get the same there as I got in the State of Maine so I said, 'Get somebody else,' and I left. I then went down to the Magdalen islands where there was a firm and was there two seasons and made the first cans ever made there.

Q. What firm was that?—A. It was J. W. Jones actually, but the Stayners in Halifax were the agents. However J. W. Jones in the State of Maine was the actual owner.

Q. In what part of the Magdalen Islands did you operate in?—A. A place called Allright. No, I should have said House Harbour.

Q. That is at Allright Harbour. Were there any other canneries then?—A. No, they had never seen a lobster canned. More than that they knew very little about the lobster. They had to kill him before they put him in the pot to boil, they were afraid of him.

Q. What year would that be?—A. That would be in the year 1875 or 1876, I forget now. Yes, I am sure it was 1875, come to think now.

Q. Well, then after that how long before you came to the Island?—A. I was there two seasons and on my way the last season I stopped here at the Island, ostensibly to look up lobster factories for the American people, but the description I gave of them—we did not think of building factories in those days right on the coast such as the north side of the island—and the only place I saw that would be safe to build a factory was down here at the breakwater. But there was an American I was well acquainted with that was ahead of me and engaged in it. Consequently I stayed here, have been here ever since and have had charge of factories.

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Q. Coming back to the inception of the business in Nova Scotia, how did you fish your lobsters then, did you trap them?—A. It was different in some localities. At Fort Matoun, Liverpool, they gaffed them.

Q. That was in shoal water along the beach?—A. In shoal water. They turned oil on the water and that made it slick. Then they would throw down a few cod-heads and the lobsters would collect around them and they gaffed them. That is the way they caught them. In other parts of Nova Scotia we had round hoops about two feet ten inches in diameter made out of three irons and the netting was knit almost the same as a dip net. There would be 25 or 30 of these hoop nets to a boat and they would be on a trawl.

Q. That is the first way I remember of catching them on the Gaspé coast. We used to gaff lobsters but it was generally done for sport.—A. It took nearly three times as many gaffed lobsters to make a pound as it did lobsters that were caught on these hoops.

Q. You got a bigger run of lobsters outside?—A. Yes, outside. The cause of that is that lobsters will bleed to death the same as any other fish. After you gaffed them they would bleed to death and the meat did not turn out so well—the lobsters were neither as plump, nor as fresh, nor as heavy after they were cracked. More than that, they would die, and a lobster after he has been dead is not fit to be canned, and anybody who understands the business will not can them.

Q. I have seen them canned and they turn out very badly.—A. That is what I say. The government should appoint a competent inspector, two or three of them in every county, for the purpose of seeing that the factories do not pack this kind of stuff to ship away. It ruins the packing.

Q. When was the trap first introduced?—A. The traps were introduced in the first place in 1851. My father was in the business then, he had just started and he was an American himself and of course he did not believe in a pod auger or that he should use a wooden plough when a steel one would do. He sent to Gloucester to the agent there and imported a lobster trap which is similar to our lobster traps here, or in Nova Scotia, where there are parlour traps made exactly in the same way as in the State of Maine. These traps were made out of oak and were made more especially for fishing off Cape Cod. I was then in the 15th or 16th year of my age and I and the foreman of the factory used to fish that trap. Because we did not get it full the same as the old pot we discarded it. It would only catch 5, or 6 or 7, which is a very good catch now.

Q. What was the space originally left in the laths between the slats?—A. We used to leave about an inch and a half. They are too close together now. If they keep on in ten years from now they will want ten—yes twenty hatcheries—on the island to maintain the supply if they continue to have those traps. That is my own opinion and I am perfectly willing to give my reasons for it too from actual observation.

Q. Well, then you began operations here, about 1880 would it be?—A. About 1878. I was foreman of a factory down here at the breakwater.

Q. There were very few canneries on the Island then?—A. There were very few, and there was only a small pack. In that same year Forest & Co. started, and a concern—I forget the name but I think it was Harris—started at Canoe Cove, on the western part of the Island, and they did quite a large business.

Q. Were they local men or Americans?—A. They were local men but they had copied off the Americans. Forest was a Nova Scotian but he had been a managing man for Burnham & Morrill for years, and came over here to start and did start up at Panmure Island.

Q. On his own account?—A. On his own account and made a fortune. That was the first year, that was in 1875.

Q. What was the condition of the lobster fishery on the island then?—A. The lobsters were very numerous and very large. They were as numerous then as they are now. I contend there are as many lobsters now as there were then in number.

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Q. But they never reach maturity, they never get very large?—A. Just to give you an idea: When I first began to pack down here I used to buy them by the count, I would not buy them by the pound. The man I was manager for was an American and he was too shrewd for that, so we bought them by the count and paid the fishermen so much apiece for them.

Q. What was the ordinary price paid per hundred?—A. He paid 50 cents, it was that for years and then we bought them by weight and paid the same. At first we bought them by count and they were just as well satisfied and could make very good wages, better than they could by any other fishing. It used to take about one and a half lobsters the first year to make a pound of meat. Now it takes nine or ten to make a pound of meat. That gives you an idea.

Q. When did you first begin to notice the diminution?—A. Every year, year after year. The first year we packed, the average was about one and a half per can, the next year it took about one and three quarters, the next year about two and so on. Finally it got to four and a half and then we had to stop buying them by the piece.

Q. There were no regulations of any kind in force in those early years?—A. There was no limitation at all.

Q. Through what season did you fish?—A. We could not commence here earlier than the 10th, or rather from the first to the 10th of May, and then we could fish as long as the weather would let us. The same in Nova Scotia.

Q. You fished right into the fall?—A. We could fish right up to October. That was the first fishing. Afterwards it was different.

Q. Did you let up at all during the warm weather?—A. No, fished right straight along.

Q. Was there any care then taken of the berried lobster?—A. No.

Q. You canned them all?—A. Certainly.

Q. What was the size limit?—A. The lobsters would be about from 10 to 15 inches. The general average would be about 11 or 12; they would have the most seed.

Q. Within your experience what was the smallest berried lobster you ever noticed?—A. I don't suppose they were over $7\frac{1}{2}$ or 8 inches in length. I have seen them very small.

Q. Statistics show, where they have kept a record, that there is about one berried lobster of 7 inches in a hundred thousand, and very few at 8 inches?—A. I know better than that, I have seen more than that. It not a rare thing.

Q. Do you find the run of lobsters about the same here as in Nova Scotia?—A. Yes, the same here as you do in almost any locality I have been in, in the different localities. When you first commence to fish, the lobsters are larger and keep gradually growing smaller. So they did here on the Island.

Q. And they did everywhere else?—A. Everywhere else. For instance, when I was lobstering here the lobsters were larger than they were off Rollo Bay or Bay Fortune because they had been fishing there for some years previous to that and gaffed them, and the lobsters were not nearly so large as they were right here. Of course we caught them here in traps. That was a new thing then for the Island.

Q. What number of boats were generally attached to a cannery in those days?—A. We would have 10, 12 or 15 boats. We only allowed them 75 traps and now they will let you have 300. That is the difference. We contended that a man could not attend to more than 75 traps, and traps then cost more than they do now.

Q. What is your opinion, as one having a good deal of experience, of the modern trap as compared with the original trap?—A. The modern trap? I presume you mean the parlour trap.

Q. Or the wheeler trap, they have got a number of names for it?—A. I should think Mr. MacCormack could give you a better idea about them than I can. I can only speak of my own actual observation, what I have seen of the trap and what I know about the habits of the lobsters. I think it just like this: If they continue making them the same as they are making them now and do not put the laths farther apart, in ten years time you will want ten hatcheries here to keep up the supply.

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Q. As to the habits of the lobster, when you first met him you you met him coming in in the spring?—A. Yes.

Q. I suppose they had to fish in very deep water then?—A. No. In Nova Scotia they would not go out to more than four or five fathoms of water. In that province they did not use traps until after 15 or 20 years, they used to use these hoops. Afterwards they got using traps and they did not care about getting out into more than four or five fathoms of water.

Q. Did the same conditions exist then as to the movements of the lobster, did he migrate shoreward then as he does now?—A. Well, I don't know. They change every year. It amuses me these scienists writing about the habits of the lobster. The habits of a lobster are like the habits of the human race, they vary greatly in different localities.

Q. Still you first met the lobsters in deep water, did you not?—A. Oh, yes, met them in deep water.

Q. And as the season advanced you met them farther inshore?—A. Yes, farther inshore. Well, it is according to the locality. In some places I think they are in shoal water all the time, some warm places. They get out in deep water in cold weather, because it is warmer and as soon as the weather begins to get warmer they will crawl in. They are after bait, they are after something to eat.

Q. What do you think as to the spawning habits of the lobster, what are your observations?—A. They spawn every season of the year, whenever they are ready.

Q. Do you think they will spawn in cold weather?—A. They spawn at all times, and they shed too at all seasons of the year. That has been my own opinion from actual observations for the last half century.

Q. What would you suggest as the best means of protecting and preserving the lobster?—A. The only way I know of is to license the fishermen, and insist on them having their traps made with the laths at least an inch and one-eighth apart, and if they are caught violating that, revoke their license and fine them besides. That is the only thing I think that will do it.

Q. Then as to the season throughout which they should fish?—A. Oh, well, as far as the Island is concerned, speaking from an Island point of view, nature won't allow us to have a very long season anyhow, won't allow us to open very early in the spring, and self preservation makes the fishery close very early in the year on account of the storms. They ought to have at least three months of open season—between two and a half and three months—because the nine months close season to preserve the lobster is long enough.

Q. What do you think about the matter of the size limit?—A. The size limit? You would want to have 19 cutters, 19 gasolene boats and more, to surround this Island if you put a limit on and want to carry it out. I think it is a matter not of utter impossibility but not much probability to be carried out. As long as the fishermen catch them and are allowed to catch them they will bring them to the canners. The latter have got to take them or close their factories. 'If you don't take all you can have none.' That is just about the size of the matter. The canners don't want to take in these illegal lobsters if they can avoid it but they have to take them.

Q. In order to keep their fishermen?—A. In order to keep their fishermen because the canners don't want the small lobsters. When there was a size limit of 9 inches we used to have to fight like fun in regard to it. I came very near getting the proprietor of the factory fined for having short lobsters. I did not want them because it cost me more to get them picked out. The only way I got clear of it, I told the inspector he did not measure them right. Says I: 'It is not so. You must have measured them with a stick or rule and I am going to measure them with a tape.' On the tape there was the figure 9. Says I: 'Get your rule.' He put up his rule. 'Now,' says I, 'come here and show me those lobsters you picked out that were not 9 inches long.' His rule was only 7½ or 8 inches. I took it and laid it down. I said: 'That

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is the way the lobster is naturally,' and look my tape and it was only 9 inches. But I curled him up and said: 'That is the same lobster, I have not touched it and it measures 9½ inches. What are you going to do about it now'? He went off.

Q. Are there any facilities here for carrying on the live lobster trade?—A. No. In regard to the live lobster industry I don't know anything practically about it any more than that it is growing up amongst the Nova Scotians. I don't think it can be carried to success on this island in any shape or form for several reasons. One reason is that the lobster caught in the Island waters will not keep out of the water so long as the lobsters will in Nova Scotia or in the State of Maine. This I know to be an actual fact from experience. Then again we have not the facilities when the lobsters are caught to carry them alive to a central place to ship. Our government will not allow us to have any automobiles here consequently we have no means of conveying live lobsters quickly from different points to any central point for shipment.

Q. The facilities do not exist for the development of the trade at present?—A. They do not exist and are not likely to exist.

Q. Where they do exist the live lobster trade seems to be superseding the canning?—A. Certainly it will. Take the western part of Nova Scotia. I was for something like 17 years in that locality and connected with factories, and consequently I know pretty nearly about the catch of lobsters. They are only 16 hours from Yarmouth to Boston, and gasoline boats and steamers are plying all around picking up the lobsters and they go on schedule time. Some of the lobsters are not taken out of the traps more than four hours before they are in Yarmouth all ready to ship over to Boston. Sixteen hours afterwards they get there and very few of them are dead. More than that, as I said before, in Nova Scotia the lobster will live longer than our lobster out of the water.

Q. Why should that be so?—A. I think it is on account of the temperature of the water. That is the only reason I can give for it, I cannot think of anything else. I think it is the temperature of the water in the Straits.

Q. You are in favour of the proposition to license the fishermen?—A. Yes. I would not charge them anything for it but simply enough to pay for the paper and stamp or something like that; just make a nominal charge.

Q. What do you think about the system of limiting the number of canneries?—A. That is interfering with the rights of citizens. I believe that will regulate itself, it will eventually be the same as in all other industries. When they find they can conduct business cheaper by merging together the different factories, they will do so.

Q. Do you think that any one showing his competency to pack should be granted a license?—A. Yes. Leave it with the resident inspector or overseer, and carry out measures to protect the industry, to protect the people and also protect the fishermen, because if a man carries on a business and fails it is the fishermen who are going to suffer very materially as they are the principal creditors.

Q. Do you think we should require a cannery to be up to a certain standard?—A. Yes, you may do that just according to the number of boats he was going to employ; not for him to have a barn, but have a proper factory suitable for a cannery so that they can can lobsters clean, and then there should be an inspector as I stated before.

Q. Do you think the product of the cannery should be inspected as in the case of all other food products?—A. I think that is correct.

Q. Do you think the present staff of fishery officers are competent to carry out that inspection?—A. They could not do it, they have as much as they can do at present, and then there are a great many of them know nothing about the article. The inspection should be made by a man that understands the business. From the very moment he opens the can, if he is observant and has had the experience, he can tell whether that lobster was packed out of season or not.

Q. What would you call out of season?—A. During the soft shell season, he can tell whether they were soft shell lobsters.

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Q. You said a while ago you would not limit the time of closing?—A. Oh no, I don't remember that.

Q. Well, you said you would let them have a season of three months?—A. Yes, three months.

Q. Would that not put them into the soft shelling time?—A. No, not at all. At North Lake I have commenced in the month of May, the last of May and the first of June, and the lobsters that I packed, buying them by the count, would take six to seven to fill a can. I am speaking of the first year I went there. In the months of July and August it only took about four and a half. Now there is——

Q. The lobster had filled up in the meantime?—A. The lobsters I packed early in June must have shed in February or March.

Q. Do you think it is possible to expect the fishermen to return the berried lobsters to the water from the traps?—A. No.

Q. Has the practice of stripping or washing off the eggs always existed?—A. Yes, I have known that for years.

Q. Have the canners ever made any scruple about accepting berried lobsters?—A. Certainly, we never cared anything about it because it did not amount to much. There was only one place I know where it amounted to a great deal and that was in Liscombe, Nova Scotia, where three-fourths of the lobsters were seed lobsters but there was no regulation then. That was in 1873.

Q. How do you account for the larger proportion of berried lobsters at that point than elsewhere?—A. That was their breeding ground where they went to cast their seed. Into Spanish Bay they would go.

Q. What proportion out of every hundred lobsters bore eggs extruded?—A. Well, in this locality, as I have said, we were getting 7,000 or 8,000 lobsters a day and at least three-fourths of them were seed lobsters. In different localities there was more of them, and they kept up until towards the end of the season—it was November before I left off—at least one-fourth were seed lobsters, we took the trouble to count them.

Q. Where was that?—A. In Liscombe, Nova Scotia. Those lobsters must have spawned in the last of October. The spawn was ripe and ready to drop off. I myself have seen life in the eggs late in the season which shows that they must spawn in the winter.

Q. To what do you attribute the falling off in the size of the lobsters?—A. Well, they are catching them up faster than they grow.

Q. Do you think there is any reason for having different size limits and different seasons in different localities?—A. No, and you cannot carry it out. It is very good to have it, and all that sort of thing, and it is not an impossibility, but, as I say, there is not much probability that it can ever be carried out.

Q. Some people have stated that it takes thirty per cent more lobsters in the fall to fill a pound tin than it does in May and June, is that your experience?—A. Well, on the Island in late years they never packed in the fall at all, they always wound up about the middle of July, but I found the lobsters were better in the months of July and August in some localities than at any other season of the year. Now, on at the westward, such as Canoe Cove, the lobsters begin to shed about the 5th or 10th of July and then at the 1st of September they were not worth catching. Here it is different again.

Q. Is there any difference in the meat of the female lobster when she is carrying her berries outside and that of any other lobsters; some people have said the berried lobster does not make as good meat?—A. It is a little darker if you notice particularly.

Q. It is as firm?—A. It is just as firm, and I always think it is a little darker. The meat of the he lobster is whiter anyway, at all times.

Q. What do you think of the proposition made by some people to close down altogether for a term of years?—A. The people in it would mostly give up the business and go to something else.

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Q. They would have to?—A. Well, for all time to come. You see the people that are carrying on the business in England probably get their supply from the United States and you may say Canada.

Q. And lobsters are canned nowhere else in the world except the United States and here?—A. Don't they can them on the coast of Scotland?

Q. I do not think so. As far as I know I think all the lobsters come practically from America?—A. They may have stopped there the same as in the State of Maine.

Q. And the fishery they have has got to be a very small affair?—A. I know that.

Q. It was never as large an industry as it was here?—A. But still Aberdeen is the father of the lobster canning. As far as canning in the United States is concerned it comes from them. They brought it here.

Q. The Lobster Commission of 1898 recommended that temporary reserves be established, or in other words that fishing should be shut down on the coast by sections?—A. I don't think that will work at all. Let them continue to pack and all that, and in a very few years Prince Edward Island will be about the only place, in my opinion where lobsters will be packed. Because we cannot carry on the live lobster industry here, and New Brunswick and Nova Scotia will be carrying it on. At Gaspé and the Magdalens they will be probably packing lobsters also.

Q. You think where the live lobster industry can be developed it will drive the canning out?—A. Certainly.

Q. It is a much more profitable one to the fishermen is it not?—A. Certainly it is. I don't know whether it would be on this island.

Q. I mean where the facilities exist?—A. Yes.

Q. Is there anything else you would like to suggest; if so we will be very glad to receive it?—A. I have nothing particular to suggest.

By Mr. Fraser, M.P.:

Q. There is just one point I would like to ask you about and that is the construction of the lobster traps?—A. I think that the laths ought to be placed in all parts of the trap at least an inch and one-eighth apart.

Q. When you were fishing how far apart was the space?—A. Sometimes when we were not in a hurry to make traps we would have them an inch and three-quarters apart, but always an inch and a half wide and that was the measure.

Q. How far are the laths apart under the present construction?—A. Some of them are a great deal less than an inch. Some are made not over three-quarters of an inch apart.

Q. Is there any regulation now?—A. No.

Q. Would you suggest that there should be a regulation for traps?—A. Yes, I mentioned it here before in my evidence, that the fisherman should be licensed and it should be stated on the license how far apart the laths should be, and if he violated any part of that license he should be heavily fined and his license revoked.

Q. What would be the result of building a trap with wider spaces between the laths?—A. Large lobsters get into the trap and there are always some that are larger than others. As soon as the bait begins to get scarce they chase the little ones out.

Q. And there would not be so many of the small ones canned?—A. No. So long as they are caught they will be brought into the factories, and so long as they are brought there they will be used. Another thing: I was told here by the foreman of a factory this season that two men brought in their day's catch of lobsters and it weighed 22 pounds. The weigher of the factory counted them and there were just 74 lobsters, so you can imagine how small they were, and they were caught in parlour traps.

Q. Seventy-four lobsters only weighing 22 pounds?—A. Twenty-two pounds. Remember I am under oath. That is what he told me, the foreman of a factory, and it was corroborated by his weigher, the man that weighed them. They went to work and counted those lobsters and there was just 74. It is very easy to see what the

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average size of those lobsters was. There was some that could not have been over $3\frac{1}{2}$ and 4 inches in size. When we were canning down here the first three or four years I canned over 3,000 cases in one season.

By the Commissioner:

Q. With what amount of gear compared with at present?—A. Oh, we did not have near so much, not half. But I contend that they do not require so much gear now, that they would get just as many lobsters with half the gear that they now use, but you cannot make them believe that.

Q. Among the regulations proposed is one limiting the amount of gear to the cannery or to the fishermen.—A. Oh no, I would not interfere with the liberty of the subject in regard to that.

Q. Yes, but the liberty of the subject only goes a certain length if the subject is destroying the industry by over-fishing it with gear. There is very little doubt there is too much gear and too much crowding in some place.—A. That may be but that will regulate itself.

Q. It also appears to us that in some places where there are large canneries that are fishing an unlimited amount of gear, they are crowding out the smaller operators.—A. That will happen in all kinds of business. That can hardly be avoided, it will happen in everything. A large merchant will crowd-out the small one because he can buy cheaper, and afford to sell cheaper, and the number of sales is larger and the amount greater.

Q. Do you think there is any combination on the part of packers to establish a standard price to be paid to the fishermen?—A. No, I do not think there is for the very fact that they could not get them to agree. They tried that in the State of Maine and it fell through. I know this because I was concerned in it. I had to take an active part in it although only the foreman of a factory. We formed at one time a combination and it lasted for about a month and then it broke. That made things ten times worse.

Witness discharged.

CHARLES H. STEARNS, canner, Souris, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster industry?—A. Eighteen years.

Q. Always here at Souris?—A. I always lived here.

Q. How many canneries do you run?—A. I only run two now.

Q. Where are they situated?—One situated at East Point and the other one at Campbell's Cove, about 8 miles from Souris.

Q. How many boats do you run in connection with your factories?—A. I run at East Point 10 dorys, and at Campbell's Cove between 5 and 6—some years 5, some years 6.

Q. Are the boats and gear you employ all your own?—A. Yes.

Q. You hire no boats?—A. I hire no boats.

Q. Are your men paid by weight?—A. Paid by weight.

Q. What is your practice with regard to the fishing season, when do you begin to fish generally?—A. Generally some time in May with us. I have a little list here, Commander Wakeham, dating from 1900. I am going back 9 years and I notice that in 1900 we started May 11; 1901, May 9; 1902, April 30; 1903, April 29; 1904, May 9; 1905, May 8; 1906, May 1; 1907, May 24; 1908, May 7; this year May 11.

Q. Those are the dates when you began to pack?—A. Began to pack.

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Q. You put out your gear before that?—A. We put the gear out ike to-day and start to catch next day if the weather is suitable. Then I have the catches made in those years too.

Q. Could you leave that statement with us?—A. Yes, certainly. (Statement filed.)

EAST POINT FACTORY.

Lobster Fishing at East Point Factory from 1900 to 1909.

1900. First fish May 11. Last catch July 4.	
May..	38,886
June..	31,196
July..	708
	<hr/>
	70,790
1901. First fish May 9. Last catch July 8.	
May..	42,803
June..	74,965
July..	3,134
	<hr/>
	120,902
1902. First fish April 30. Last catch July 18.	
April..	8,166
May..	86,731
June..	78,568
July..	10,926
	<hr/>
	184,391
1903. First fish April 29. Last catch July 2.	
April..	4,994
May..	88,667
June..	44,242
July..	4,982
	<hr/>
	142,885
1904. First fish May 9. Last catch July 11.	
May..	88,503
June..	80,448
July..	23,600
	<hr/>
	192,551
1905. First fish May 8. Last catch July 11.	
May..	96,422
June..	75,519
July..	27,232
	<hr/>
	199,173

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1906. First fish May 1.	
Last catch July 14.	
May..	102,021
June..	49,530
July..	28,263
	<hr/>
	179,814
1907. First fish May 24.	
Last catch July 13.	
May..	30,070
June..	142,762
July..	38,062
	<hr/>
	210,894
1908. First fish May 7.	
Last catch July 10.	
May..	104,174
June..	73,039
July..	27,877
	<hr/>
	205,090
1909. First fish May 11.	
Last fish July 8.	
May..	40,123
June..	59,682
July..	17,156
	<hr/>
	116,961

Q. In what depth of water do the boats fish when they begin the season?—A. Well, we go out 10 and 11 fathoms, from that into 5 in the early part of the season.

Q. What distance off shore will that greater depth of water put you?—A. Off East Point it will go out a mile and a half, I would suppose.

Q. Is it your practice to continue fishing in that depth of water all season or do the fishermen fleet their traps in?—A. As the season advances the fish get in closer to the shore and we draw the traps in to them. This year we got in so close that the last of the season cleaned us up by landing everything for us without trouble.

Q. What percentage of loss did you meet this year?—A. Between the two factories we had 5,000 traps in the water. We had a loss of 1,500 altogether and of course all the rope was gone.

Q. What was the date of that?—A. 8th July.

Q. Just at the close of the season?—A. Just at the close of the season.

Q. If you had a shorter season you would have escaped that?—A. If it had not been for that storm I would have packed 1,000 cases of fish.

Q. What number of hands do you employ in the canneries?—A. From 30 to 35, that is clear of the fishermen.

Q. What is your experience as to the class of fish caught in the opening of the season in the deep water compared with that taken later in shallow water?—A. I think about the same run of fish. It may be a little larger probably in the early part of the season, but I do not see very much difference in my East Point factory, taking the season all through. Up there at those reefs it is all rocky bottom.

Q. Has that always been the case?—A. Always been the case, I don't see very much difference. Of course the fish are smaller now.

Q. What percentage of your fish would be below the legal size limit of 8 inches?—A. I would say 50 per cent of them or probably more.

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Q. That is to-day?—A. Yes.

Q. How was it when you first began packing?—A. I suppose there would be 35 or 40 per cent of them.

Q. Even then?—A. Even then.

Q. Well, canning had been going on for a good while then?—A. When I first went into the business I did not take very much stock, I did not pay very much attention to that. Now it has got to be such a burning question that we take more notice of those things.

Q. Then as to the female lobster carrying eggs outside, how many per hundred will you see of those?—A. Of course there are some seasons of the year you will not find any with the berries outside. As to the percentage there might be four or five to the hundred probably. I never went in myself personally and counted them.

Q. Is the number greater at one time of the season than at another?—A. Yes. Some time along the latter part of May or the first of June we get more berried lobsters. One year I remember—I forget what year it was—we had a great storm here some time in June and a good many factories closed up but I continued. There was an extension given that season up to the 1st of August, and I remember that from the latter part of July to the 1st of August there were no spawn lobsters showing on the outside at all, and we had better fishing than we had at the early part of the season. My East Point factory packed that year, after the other factories closed up, 200 cases of lobsters.

Q. What was your pack this year?—A. My pack this year was pretty small. Between the two factories we only packed this year 700 cases.

Q. And last year?—A. Between the two factories 1,300 cases.

Q. And the year before?—A. It was also a good year. We packed at East Point over 800 cases. I did not have Campbell's Cove factory myself that year.

Q. What is the best pack you have ever made?—A. Something over 800 cases at East Point.

Q. Have the regulations ever been strictly enforced with regard to size limit and berried lobsters?—A. No.

Q. They have been a dead letter?—A. Been a dead letter. In fact we could not run if the regulations were enforced.

Q. Have the canners ever made any objection to receiving and utilizing berried lobsters?—A. I never did.

Q. What would happen if you did?—A. I don't know what would happen. I suppose the fishermen would kick if we told them to throw those lobsters overboard. I suppose then they would squeal and say: 'We must be paid for them. We cannot keep catching them every day and throwing them overboard.'

Q. Would you fear them leaving you and going to somebody else less scrupulous?—A. I don't know what might happen, I am sure.

Q. Or do you think they would adopt the practice of brushing the berries off the female lobsters; is that practised here?—A. They would do that. I believe that is practised. Of course we get a great many female lobsters without berries outside, the spawn would be inside.

Q. What number of traps do you average per boat?—A. From 250 to 300 at East Point.

Q. Fished by one man?—A. Two men in a dory. We never had as many as 3,000 traps at one time in the water at East Point, about 2,700.

Q. Are there other canneries in your neighbourhood?—A. The canner west of me is Mr. Macleod at North Lake. On the ground that I cover there now there were four canneries at one time and I bought the others out.

Q. That leads to the other question as to the present system of issuing licenses. The policy of the department for some time back has been to limit the number of licenses; do you approve of that?—A. Well, I approve of that, Commander Wakeham, either keeping the number of licenses to a limit, or opening it up and letting every-

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body get a license. I don't believe in giving a license occasionally, you may say a political license. That happened with me at Campbell's Cove last year. There was a factory put in at Campbell's Cove and I bought it for \$1,200. There was another factory established this year on the co-operative plan in which 16 or 17 fishermen were interested. They were not fishermen but farmers who sent in the requisition. Some of them never fished lobsters at all. The result was we were both fishing on the same ground. There was a boundary made some years ago between the parties on both sides of us, and the result was there were about 3,300 traps on that little piece of ground whereas last year I had only 1,500 traps and I packed about 470 cases. This year I packed only about 200 cases and the other people 200 or 250.

Q. Then you favour limiting the number of licenses or else making the thing absolutely open?—A. Absolutely open.

Q. So that you will know what you are dealing with?—A. Exactly.

Q. Do you think that at present the supply of lobsters for the canneries is being kept up by fishing an increased amount of gear compared with what you fished at the beginning?—A. Keeping up the supply of lobsters?

Q. Is the supply being kept up by increasing the amount of gear; there is a good deal more gear in the water now than there was 20 years ago?—A. Not with me. Now, for instance, we will take my experience at East Point. As I said before, some years ago there were four factories in that vicinity, whereas now there is only one. I have never had 3,000 traps on all that ground at any one time; I could put out more but I considered 3,000 traps would fish the ground fairly well. I could have put out more—there are no restrictions as to the number of traps that we can put out—but I kept it down to 3,000, a little less. There has been on that same ground as many as—Murphy at East Point used to have five boats there with 1,500 traps, the next factory again would have about the same, I would put out the same and so on. There would be 5,000 traps, probably more, on that ground some years ago.

Q. On the whole Island the amount of gear in the water has gradually increased since the opening of the fishery?—A. The gear at East Point has increased in that way you see, when there were four factories there.

Q. Do you think the amount of gear fished by the cannery should be fixed?—A. I think myself the traps should be limited to the ground. I think it would be a good idea, that a man getting a license should only put so many thousand traps on that ground.

Q. How would you limit it, according to the number of boats?—A. According to the number of boats.

Q. You would have to limit the number of boats too?—A. Have to limit the number of boats.

Q. What is the average number of cases per boat that you pack?—A. In a good season it would take about 80 cases to a dory with two men.

Q. The average, I suppose, is between 50 and 60 cases?—A. The average is between 50 and 60 on the north side.

Q. From your observation as a canner what do you think is the spawning month of the lobster, when do you find the largest number of lobsters with berries on and about to spawn?—A. I think it is in the latter part of May, coming on the 1st of June.

Q. What do you think of the proposition to license the fishermen? It has been proposed that the lobster fishermen should be licensed with a view of somewhat controlling the thing.—A. The lobster fishermen licensed?

Q. That we should compel every man that fishes lobsters to take out a license at a nominal fee.—A. That is supposing he is hired by the canner.

Q. No matter who he is?—A. I don't know how that would work I am sure. I am thinking that the packer would have to pay the cost of his license to satisfy him.

Q. I suppose it would always have to come out of the industry in some shape or other?—A. It would have to come out of the packer I think.

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Q. The idea seems to be that a fisherman with a license would feel he would be called upon to obey the law and would give information on others who were violating it?—A. That is a point I never heard come up before, of licensing fishermen.

Q. Have you ever remarked as to how small you have seen the female lobster with eggs attached?—A. Well, I don't think I have ever seen them under 7 or 7½ inches.

Q. How do they run generally?—A. Well, the female lobsters with spawn on them run, I think, in ordinary years, to 8 or 9 inches. I suppose so, I never took particular notice of that. I do not think I ever saw eggs on lobsters smaller than 7 or 7½ inches.

Q. The majority of them are a good sized lobster?—A. A fair sized lobster.

Q. What sort of meat do the berried lobsters yield, do they turn out as well as the others?—A. Generally. I never heard to the contrary.

Q. I have heard some canners say that the meat is soft and spongy, that it does not turn out so well?—A. There are certain seasons of the year when none of the lobsters are what you might call good.

Q. That is when they are newly shelled?—A. Yes.

Q. What do you think of the proposition requiring the canners to pay an increased fee, instead of 2 cents a case as at present, and in that way realizing a fund for the purchase of seed lobsters from the fishermen?—A. I think that would be all right if the department would limit the factory to a certain territory or ground, so that a packer would know exactly what he is doing. But now it is an uncertainty. You don't know the moment some fellow is coming in alongside of you. Personally, I would be willing to pay a much larger fee if I were sure of my territory.

Q. Having your territory to yourself?—A. Yes and to help to pay for taking care of the spawn lobsters.

Q. What is your opinion as to the best means to be adopted to preserve the industry? It has been suggested by some people that the best way of effecting the improvement would be to shut down universally for a term of years; what would you think of that?—A. I think that would be a disastrous thing for the industry. It would work bad in several ways. For instance, say I have a plant, a very good plant, worth \$4,000 or \$5,000 or more money. That would naturally all go to destruction inside of two or three years time. Then another thing. The fishermen that are prosecuting the business would leave it and turn their hands to something else, and in two or three years I would not be able to get them into the fishery again. That is another reason. Then you take the lobsters themselves, they have a market and they have got to be a luxury. Now in the space of two or three years the people that are eating them might turn on to something else. Furthermore we would naturally expect after the fishery had been closed for three or four years to get a good catch and there would be a whole quantity of lobsters thrown on the market in one season. That might be disastrous in reference to the price; it might become so unprofitable that packing would not pay. There is that about it. Let the industry go on, but regulate it. That is the best way possible.

Q. The Lobster Commission of 1898 recommended the closing down of the fishery by sections?—A. I don't see how in the world that would work either—closing down by provinces, Nova Scotia, New Brunswick, Prince Edward Island.

Q. Or parts of them?—A. You see that would not work very well either I should think.

Q. Another proposition is to do away with the size limit regulation which has never been enforced, and I suppose you will say would always be very difficult to enforce?—A. Very.

Q. It is proposed to do away with the size limit, protect the berried lobster—by purchasing her from the fishermen and taking her to a hatchery or to a pond or returning her to the water—and somewhat shorten the season; what would you think of that as an alternative?—A. That would be to take everything that comes but not the berried lobsters?

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Q. It is quite possible it might also be necessary to fix a standard trap?—A. Yes exactly.

Q. Because it appears that the space between the slats is getting so small now that nothing can get out of the trap?—A. It is very hard for very much to get out as the traps are built now.

Q. In some places they attribute the rapid decrease in the size of the fish to the introduction of the parlour trap; what do you say yourself?—A. I never approved of the parlour trap myself. In fact I was the last packer around here to build them. At East Point I have only been using the parlour trap for three or four years, I think.

Q. Do you think they are unnecessarily destructive?—A. You will find some factories using six headed traps, two parlours.

Q. Then anything that gets in there——A. Generally stays there.

Q. What is the best period of your fishing season?—A. May and June.

Q. That is shown by your statement?—A. You have it right here in my statement. In 1902 I see the catch in June was 78,568; May, 86,731. In 1907 when we started packing on the 24th of May, we got 142,762 in June, and in May only 30,070. We only had a few hauls in May. That year we got the bulk of our fishing in June. In May of the following year we had the bulk of our fishing, 104,174. Last year we had 40,123 in May, and 59,682 in June. We consider that if we get started pretty early in May, and can get one-third, or a little better, of our estimated pack, we feel pretty safe then.

Q. How many fishing days do you average a season, have you ever kept any memorandum?—A. Oh yes, I have got them all marked in my lobster book. I could give you the fishing days.

Q. We find the average as low as 35 days?—A. This year at East Point we never had a whole week that we fished every day. One week we fished 5 days, but we never fished the whole of a week. At East Point I remember in 1902 there were over 14 days that we never put a boat in the water.

Q. As to the matter of the opening of the season, what is your opinion?—A. Well personally I would prefer the 1st of May on the north side of the island.

Q. Do you think it would unduly cripple the industry if we did away with the size limit, and asked you to close down on the 1st of July?—A. I do not think it. Of course in a year like this where we had a stormy season, ten days at the last of the season would have been a help, would have been of great assistance.

Q. What do you think in regard to the granting of extensions of the fishing season, do you think it is wise?—A. I don't think it is a good thing to advertise an extension of 10 or 15 days, but sometimes if we can get a few days privately it is an advantage. The Department one year you know gave us two or three days at the latter part of the season. The season closed on Friday, and they let us run the Saturday and the whole of Monday, or something of that kind. To advertise an extension like that all over the country by it getting into the press is detrimental to the industry. Producers of lobsters may hold back as the price may go up a little. I think if we got two months or two months and a half, and do away with the regulation as to size we would be perfectly satisfied.

Q. Would it be possible or right to establish a standard of fitness for a license to can?—A. That is by a factory regulation?

Q. Insist upon the use of certain appliances in connection with canneries, that the tables should be up to a certain standard, that a certain amount of cleanliness should be observed and so forth?—A. Every packer who has the interest of the industry at heart and wants to keep up the class of goods that he can stand by, will keep his factory perfectly clean and get all the modern appliances that he can.

Q. Do you not think the product of lobster canneries should be subject to inspection, as in the case of other products that are inspected to-day?—A. There is no reason why the lobster business should not be inspected in the same way.

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Q. Do you think the present staff of fishery officers would be competent to carry on this inspection?—A. I don't think it would require any staff at all in a small province like Prince Edward Island.

Q. There is another question that some people hesitate about answering; would you refuse a canning license to an alien?—A. Well, I don't know I am sure, I think I would feel like it.

Q. You would treat the Yankee as the Yankee treats you?—A. It depends a good deal upon what nationality he was, I think. Some of them would not be fit to can anything, some of them would be all right.

Q. What do you think of the policy of encouraging fishermen to co-operate in canning?—A. Well, it is all right if you have all fishermen, but mixing up farmers and fishermen together, people getting a license by farmers signing the petition—that is a deception on the department. That has happened, as I said before, right here.

Q. Are most of the men who carry on the lobster fishing *bona fide* fishermen?—A. The most of them are.

Q. And they carry on other fishing after the lobster fishery is over?—A. A great number of them do.

Q. A great many of them are farmers, labourers, mechanics and so forth?—A. Some are. They just go to the lobster business for a couple of months and then take up something else, they don't continue in the fisheries after that.

Q. What is the price paid for lobsters in your district?—A. Last year I paid \$1.50 a hundred and found the fishermen in everything, gave them board and boats—they had that free, they were under no expense whatever. This year of course we did not pay as much. The year before last we paid \$1.25. This year we paid from \$1.10 to \$1.15 and \$1.25, according to the arrangement made.

Q. How is the price established?—A. Well, just simply that each packer names his price to his fishermen. There is no association formed to establish a price.

Q. There is no combination?—A. Not at all.

Q. Are you aware of any complaints made by the fishermen that the price paid for lobsters by the canner is not satisfactory to them?—A. Never here, they are perfectly satisfied.

Q. Is it the case, to your knowledge, that fishermen have ever lost their catch of lobsters by the canners refusing to accept them?—A. Never, that I know of.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of canners to operate their factories, although a sufficient supply of lobsters was available; has that occurred here?—A. It has never occurred around here.

Q. Did that not lead to the introduction of co-operative licenses?—A. It never happened in Kings County that I ever heard tell of.

Q. If the canneries were closed would the fishermen find any other market for lobsters?—A. I don't see how they could in Prince Edward Island.

Q. There is no chance to carry on the live lobster trade?—A. No, sir, not here.

Q. Which branch of the industry would be the most remunerative to the fishermen and the least calculated to deplete the fishery, the canning or the live lobster industry where it can be carried on all right?—A. I understand they do ship live lobsters, and they can as well. They can the smaller lobsters and ship the largest ones.

Q. But the canning is greatly dying out in those places?—A. Is it?

Q. In the State of Maine it has.—A. At Yarmouth I think they start in January and ship the live lobsters, but can the smaller ones.

Q. There are no live lobsters shipped from here?—A. No, sir.

Q. The facilities do not exist here?—A. No, you could not ship live lobsters very easily here.

Q. Are you in favour of establishing hatcheries?—A. Well, I believe, Commander Wakeham, that the best hatchery is the mother lobster herself, she deposits the spawn. I suppose the hatcheries are a good thing under the circumstances. There has one been established off Charlottetown for a number of years, but I often wonder where

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the little lobster gets to. I don't think I ever saw a lobster smaller than $4\frac{1}{2}$ or 5 inches. Where does the little fellow get to?

Q. I suppose he remains off shore?—A. That is a question. It is wonderful where he gets himself to.

Q. In the neighbourhood of the hatcheries they maintain that they get a number of small lobsters two and three inches long, schools of them they say?—A. But don't you think a lot of that spawn is dead by the time it is boated to the hatchery, after it has been rubbed off the mother fish?

Q. A good deal depends upon the way the spawn is taken off. A great many eggs may be destroyed by rough handling and there is no doubt a considerable quantity is lost.—A. There is no doubt about that I think. I was only in a hatchery once when I was in Charlottetown hatchery some years ago for a little while.

Q. There is another way of providing for the berried lobster by the establishment of pounds. Mr. Baker, of Cape Breton, has a pound, and there are pounds in the State of Maine also?—A. You could not have that on the north side of the Island.

Q. Is there any place where you could build pounds?—A. No. You see it may be calm and quiet this evening and before twelve o'clock at night you have a storm which compels you to haul your boats up on the shore. If you had a pound there what would become of it.

Q. You must have a sheltered place, with a free outlet and a good depth of water?—A. It could be done all right on the south side of the island.

Q. The policy contemplated by the regulations is the taking of the large lobsters and permitting the small ones to escape; what kind of a trap is best adapted for that purpose?—A. The ordinary trap with the lower laths a certain distance apart.

Q. What would you fix that distance at?—A. Well, the regulation as it stands now is an inch and a half. That has never been revoked, it still stands. The regulation was made some years ago by the department, but you won't find a trap anywhere with an inch and a half space because it would take a pretty good lobster.

Q. And there would not be many left in?—A. In some places there would not be very many. You might have one end of the trap—

Q. What would you say would be a fair space to leave, and let that space be all over the trap or in the two lower openings?—A. I would have it all over the trap if I was building one. Well, I don't know whether it would be better to put it at about an inch, or an inch and a half may be all right. We did make the traps the year the regulation was in force with the openings an inch and a half apart.

Q. How did you find it affect your fishing?—A. The fishermen would take a bundle of laths out in the boat and split them in two and nail them right up again.

Q. Is there any fishing out of season?—A. Not around here.

Q. Is there much gear abandoned in the water? We find in a good many places that the fishermen have the habit—I suppose with the consent of the packer—of leaving the gear in the water in the fall?—A. Never with the consent of the packer. They never did that with my consent, but I know there is a lot of my gear abandoned in the water sometimes, especially in a year like this when a big storm comes.

Q. As to the method of stamping the cases, do you think it is the best that could be devised and that it prevents fraud?—A. I think it is all right. You see the stamps are in the hands of one man in certain localities and he goes along and stamps the cases. Formerly anybody could get a packet of stamps and stamp cases themselves. He might reserve a whole lot for 'boodling lobsters,' as they call them in the Magdalen islands, he might have 50 or 100 stamps and put them on out of season. That is what they say down there, I don't know whether it is true or not.

Q. Have you ever had any experience with fishing in bays or lagoons; it has been suggested that these interior waters should be shut off from fishing altogether?—A. Like Richmond bay and those places? No, I never had any experience in fishing in bays at all. For instance, there are lagoons on the Magdalen islands which are great places for lobsters. Sometimes they sneak in there. There is also fish in—

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Q. They do go in there and we break up their traps.—A. There is Egmont bay and Richmond bay.

Q. Egmont bay is different from anything of that kind. It is a wide open bay, you could not dream of shutting that off.—A. Richmond bay is different is it not? Richmond bay, especially where they have so much eel grass growing. That must be a great place for breeding lobsters.

Q. Do you think the female lobster goes in there to spawn?—A. No doubt in the world, it gets in among the rocks and eel grass to spawn.

Witness discharged.

Mr. McLEAN.—Speaking of the opening season, Commander Wakeham, I understand that in taking the opinion of different packers on the south side, you have evidence that they wanted the season back to the 20th of April.

The COMMISSIONER.—In some places they did suggest that but they are not unanimous about it anywhere.

Mr. McLEAN.—Our reason for fixing it at the 26th April, was a compromise. On the north shore side looking back 20 years they had taken no lobsters in April except twice. Therefore so far as the north side was concerned it was considered it was better to have the fishing days cut off in the time that you were not doing anything, rather than at the end of the season. My idea is the 10th of July is fully late enough. The lobsters are not so good then even if you had a season for fishing.

The COMMISSIONER.—Have you noticed any decrease of the lobsters for the last five or ten years; do you think the fishery has reached bottom, and that there is an end to the falling off?

Mr. STEARNS.—We have not noticed any decrease.

The COMMISSIONER.—The great decrease seems to have occurred some years ago and not so much recently.

Mr. STEARNS.—That is right. Before I was in the business at all they used to get more lobsters than they could handle. Of course I have only been in the business for 18 years.

JOHN P. SUTHERLAND, packer, St. Peter's Bay, called and sworn:—

By the Commissioner:

Q. How long have you been in the packing business?—A. 14 years.

Q. Do you operate more than one cannery?—A. One cannery.

Q. How many boats do you employ?—A. Four for the last eight years.

Q. And before that, how many?—A. Before that 5. I was in partnership with my brother, and I sold out eight years ago.

Q. The boats are fished by two men?—A. Yes.

Q. Do you own the boats and gear yourself?—A. Yes.

Q. How many cases have you packed this year?—A. 306.

Q. And last year how many?—A. 380.

Q. And the year before?—A. 235.

Q. What was the best year you ever made?—A. The year before, 380 cases.

Q. You did not do so badly this season?—A. No.

Q. Did you lose much gear this year?—A. I lost practically all my gear. I saved 500 traps out of 1,600.

Q. When did that loss take place?—A. On the 8th of July.

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Q. You usually lose some gear every year?—A. Mostly every year. Last year we saved mostly all our gear.

Q. What is the life of a trap; how long will a trap last under ordinary conditions?—A. From two to three years.

Q. What do you value a trap at with the gear belonging to it, trawl, line and everything else?—A. About 75 cents.

Q. Are your boats fishing a larger number of traps now than when you first began operations?—A. Yes.

Q. How many traps do you fish to a boat?—A. 395 this year.

Q. That is to a single boat?—A. To a single boat.

Q. In what depth of water do you usually fish?—A. From 3 fathoms to 13 fathoms.

Q. How far off shore will 13 fathoms put you there?—A. About one mile and three-quarters.

Q. Do many fishermen along the north shore own their own gear?—A. No.

Q. As a rule the gear is owned by the canner?—A. Yes, sir.

Q. What class of men are engaged by you as fishermen, are they men who fish all the year round, or are they farmers who fish for lobsters only?—A. Well, they are farmers' sons.

Q. When the lobster fishing is over do they go on and fish for cod or mackerel?—A. Well, sometimes they do. Some of my lobster men are fishing codfish this summer.

Q. Then they are regular fishermen?—A. Yes.

Q. In some places those fishing for lobsters are nearly all farmers?—A. My fishermen are regular fishermen.

Q. When do you begin to pack generally, about what date?—A. I commenced this year about the 10th of May.

Q. Was that a little late for you?—A. Yes.

Q. Was there much ice off-shore?—A. Yes, the ice delayed us.

Q. When did the ice leave you?—A. About the 8th of May.

Q. And you got your traps out at once?—A. Yes, sir.

Q. How was the run of fish; do you get larger or smaller fish in deep water?—A. There is larger fish in deep water.

Q. How long do you fish in deep water?—A. From about four to five weeks. Then we shift in.

Q. When you shift in do you get a smaller average of fish in the shoaler water?—A. Yes.

Q. What proportion of your fish are under the 8-inch limit?—A. Well, I would say about half.

Q. Has the regulation with regard to the size limit or the taking of berried lobsters ever been observed closely in your district; what has been the practice in that respect among the canners and fishermen, everything that is taken is brought in is it?—A. Everything that is taken, yes.

Q. The fishermen expect you to take everything from them?—A. Well, the fishermen chucked away the spawn lobsters this year.

Q. But before this year what did they do?—A. Last year they chucked them away.

Q. Do you think there is any disposition on the part of the fishermen to be more careful about putting the berried lobster back into the water than there used to be, are they learning the necessity of saving the berried lobster?—A. They are learning, yes.

Q. Do you think that as a class they can be trusted to comply with the regulation?—A. Well, some of them.

Q. If you told the fishermen you would not take berried lobsters, what would happen?—A. Well, I could not tell you, I could not answer you that.

Q. Do you think your fishermen would leave you and would go to some one else who would take them?—A. No, they could not leave.

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Q. You think they would brush the berries off outside?—A. It is likely they would.

Q. Have you any idea as to how many berried lobsters you would expect to get out of every 100 lobsters caught?—A. Well, on the average for the season I don't think there would be over 300 pounds weight of berried lobsters out of the whole season's catch.

Q. Out of what total number of pounds?—A. I would say out of 60,000.

Q. What sort of lobsters are they generally, are they good sized fish?—A. A very good size, from 7 to 9 inches and over.

Q. Do you think there is any time in the season when the lobster is not fit for food?—A. I would say about the middle of August.

Q. Did you ever pack in the time when you could fish during August?—A. No, sir. Excuse me I did once. I found when I was packing them that the fish were dark.

Q. What style of trap do you fish?—A. I use the five-header.

Q. How long have you been using that trap?—A. Three years, and before that the four-header, and when I first started in the two-header.

Q. That is a double ended trap?—A. Yes.

Q. Why did you make the change?—A. We found that the four-header did better than the two-header and the five-header better than the four-header.

Q. That is the lobsters are less likely to get out of the trap?—A. Yes.

Q. As to the matter of the slats and the distance between them; when you fished the old double-header what space used you to leave between the slats?—A. About three-quarters of an inch.

Q. And what do you leave now?—A. About the same.

Q. Well, do you not think that the traps with the narrower space are catching a good many small lobsters?—A. Yes, they will hold all they will catch.

Q. Do you not think they are taking an unfair number of small lobsters?—A. Yes, I have taken notice there some lobsters coming in that I would be careless of handling, that I would just as soon they would get clear.

Q. Down to what size would you put them?—A. Four inches.

Q. Does it pay you to can a four-inch lobster?—A. They turn out better than the big lobsters.

Q. That is to say they are fuller for their size?—A. Fuller for their size.

Q. And they give you more meat in proportion than the big ones, the shell weighs less?—A. Yes.

Q. Do you not think it must exhaust the fishery very rapidly to destroy the young and immature lobsters?—A. Well, I would think so.

Q. Do you think we could stop the destruction of them by insisting upon a fair space between the slats of the trap?—A. I would think so.

Q. What would you put the space at?—A. I would put it at an inch.

Q. That you think would allow these very small lobsters to escape?—A. Yes, they would escape at an inch.

Q. In point of fact do lobsters come out from the trap very much?—A. Not out of these parlour traps as you call them.

Q. But they did out of the other trap?—A. The two-header?

Q. Yes?—A. Oh, yes, they would crawl right out if the traps were not hauled regularly. In stormy weather they would get out of the traps.

Q. As soon as the bait was gone?—A. Yes.

Q. What do you think of the proposition to require the fishermen to take out a license; do you think that a man with a printed form in his pocket would be more apt to observe the law than one who had not such a thing?—A. Well, I suppose he would. I run a factory and I observe the law.

Q. Well, what is the law?—A. The law is not to pack after the season.

Q. That is the only law, is it?—A. That is all I go by.

Q. But unfortunately the law says you must not pack berried lobsters or any lobsters under 8 inches in size. I don't think that law is observed anywhere. How

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many of your lobsters does it take to fill a pound can?—A. In the beginning of the season it takes 255 pounds.

Q. That is to fill a case; it takes 255 pounds of green lobsters?—A. Yes.

Q. And later in the season what would it take?—A. 235 pounds.

Q. Then the lobsters have got fuller?—A. Yes.

Q. Various propositions have been made by different people for remedying the existing condition of the lobster fishery. One recommendation is to shut down absolutely for a term of years; what would you think of that?—A. I would not think much of it.

Q. What effect would it have?—A. It would have no effect. It would never catch up the fishes of the sea, they are getting more numerous. This spring there was a better show than ever I saw on the shore for lobsters.

Q. Do you think any regulations at all are necessary?—A. I cannot say. I find everything all right so far.

Q. And the regulations have never been observed?—A. Well, we go by the regulations, we chuck the berried lobsters away.

Q. You did this year. Is there any illegal fishing done after the close of the season?—A. No, sir, none.

Q. It has also been suggested that we should abolish the size limit but always save the berried lobsters?—A. That is all right.

Q. And close down fishing on the 1st of July; what would you say to that?—A. For my part I would like to have it to the 10th of July, for we always get started very late on the north side. This year we only had nine hauls in May.

Q. How many hauls did you have this season altogether?—A. I could not tell you. I have not got the figures here or I could tell you. But June was good and July wound up with stormy weather, we did not get much fishing.

Q. Do you not find in your experience that a late season is generally a good one?—A. A late season is always the best. The later the ice stays the fishing is always better I think.

Q. What do you think about the present method of issuing licenses to pack? The department's policy is not to issue any new licenses; how should a license be granted in your opinion?—A. For my part where I fish I don't think there is any use for anybody to come in, there is no ground.

Q. There is no room for any more?—A. No room for any more.

Q. What do you think yourself of the policy of the department in encouraging the establishment of what they call co-operative factories; you have heard of them, have you?—A. Yes.

Q. Are there any of them in your neighbourhood?—A. No.

Q. The present policy of the department seems to be where a number of fishermen associate themselves and engage in canning, to give them a license; do you think that ought to be encouraged or not?—A. No.

Q. You do not think they will make more money as packers than as fishermen?—A. They would make more money by finding their own gear.

Q. If the fishermen used their own gear they would make more money?—A. Yes.

Q. There is no opportunity for carrying on a live lobster trade here?—A. I don't think it, I would not like to go that far.

Q. There is no chance here?—A. No.

Q. Is there any place in your neighbourhood where a pound could be established?—A. I would think at St. Peter's harbour.

Q. What we want is a considerable area, with a good depth of water and a free rise and fall of the tide?—A. St. Peter's harbour would be a good place.

Q. A place that could be barred across so as to keep the lobsters in?—A. I don't think it could be very easily remedied at St. Peter's harbour.

Q. What would be the trouble?—A. It is a very rough place, that is in the mouth of the harbour.

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Q. Anything put there would be carried away you think?—A. Yes.

Q. What do you think about hatcheries?—A. I don't think they would be of much help to the north side.

Q. Why?—A. I think they do the most of their hatching themselves out in the shallow water.

Q. If they are saved?—A. We cannot tell whether they are saved or not.

Q. Do you think the berried lobsters are saved?—A. I think they are. They are saved long enough to crawl into the trap.

Q. What do you think of fishing in bays and lagoons, in these inner harbours; when the lobsters have escaped through the lines of traps on the outer shore and have gone into these inside bays and lagoons, should they be caught or should they be protected?—A. They should be protected.

Q. Do you think that these places are breeding grounds?—A. Yes.

Q. Are there any bays and lagoons of that kind in your neighbourhood?—A. No, sir.

Witness discharged.

JOSEPH MCKINNON, fisherman, Goose River, called and sworn:—

By the Commissioner:

Q. How long have you been fishing?—A. About 15 years.

Q. Have you always fished in the same place?—A. Pretty much all of two seasons.

Q. But always on the north side of the island?—A. Yes.

Q. When do you begin to fish one year with the other?—A. All owing to the seasons.

Q. What guides you in starting out; do you go out as soon as the ice is gone?—A. Particularly the ice. Two years ago it was the 20th of May. We started last year somewhere about the 6th.

Q. Have you ever fished in April?—A. Yes, about four years ago we did.

Q. Did the ice come back on you?—A. Well, not on us, it did come east of us.

Q. How close inshore does that ice come, right on the beach?—A. It piles right up on the beach sometimes.

Q. It does not ground outside?—A. Some will ground probably at four or five fathoms.

Q. In what depth of water do you begin to fish?—A. Generally in six fathoms, inside gear. From that to 12 and 13.

Q. How do you lay your trawls, offshore or parallel with the shore?—A. Before last year we generally set them right across the tide. Last year we set them with the tide.

Q. Is there any fishermens' union in your locality?—A. Not in our section, I don't think.

Q. What number of traps do you fish?—A. About 300 and 350

Q. Do you move your traps or let them stay as you put them out?—A. We move them.

Q. About when do you move them?—A. We start in about the 5th or 10th of June, all owing to the weather. If the weather comes fine about the 5th of June we gradually start to take in a few then.

Q. What has led you to do that?—A. Generally the fish move inshore.

Q. And you follow the fish?—A. We follow the fish.

Q. Do you find you are getting fewer fish outside?—A. Yes, we do.

Q. The schools have passed you?—A. Yes.

Q. Have you tried to remain longer outside to find out whether it was profitable?—A. Yes. we leave from 50 to 100 traps out there until the close of the season.

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Q. What is your experience as regards the fish; do you find the same kind of fish outside that you do inside?—A. Yes, pretty much.

Q. There will not be much difference in the character of the fish inside?—A. No, not much difference in size.

Q. How do the lobsters run with you?—A. They run to a fair average.

Q. You know the size limit is fixed at 8 inches; what proportion of the fish you catch would be below that?—A. I don't think there would be very many of them. The way they build the trap now I consider a five inch lobster does not stay in the trap; he can escape through either hoop, the blind hoop or the side hoop.

Q. He can get through the mesh?—A. Get through the mesh.

Q. What size do you leave that mesh?—A. It must be one and three-quarter inches.

Q. Extended?—A. Extended.

Q. Of female lobsters with berries how many do you get in every hundred lobsters?—A. In every eight hundred lobsters you would get about nine.

Q. That would be just a fraction over one per cent?—A. Yes.

Q. Do you find berried lobsters at all times of the season or are they more abundant at a certain period?—A. Generally about the first of the season we find them more abundant.

Q. Have you ever noticed as the season advances that the eggs get riper?—A. I never took notice.

Q. What has been the practice with regard to berried lobsters, what have you done with them?—A. Well, we never were very fussy about them, with 8 or 9 like that we generally threw them away or washed the spawn off some of them.

Q. Or brought them to the canner?—A. Yes, but we would not bring them to the canner with the spawn on them.

Q. Do you think that is the practice generally?—A. I don't know. I could not say what any other man would do.

Q. You are only speaking for yourself?—A. I am only speaking for myself.

Q. Have you ever found the canner raise any objections to receiving berried lobsters?—A. They have often told us to look out and be careful.

Q. Have you ever known a canner refusing to accept undersized lobsters, or objecting to the run of the lobsters as being too small?—A. No, I never did.

Q. They took everything that came to them?—A. Yes.

Q. Have they been more particular this year about saving the berried lobster?—A. Well, they were.

Q. Do you think the fishermen are beginning to see for themselves that if they want to continue and do well at lobster fishing they ought to save the berried lobster?—A. I consider that would be right.

Q. How do you think we can best get at the fishermen and induce them to observe the law?—A. I have no idea unless you chuck the berried lobsters over.

Q. How can we induce the fishermen to chuck them over? You see we want to find out if we can, the best way of preserving the berried lobsters. What is your idea, you must have talked that matter over with the fishermen?—A. I don't think it amounts to very much for a fisherman to hold 8 or 9 spawn lobsters out of 300 or 900. It would be just as well, and better to put them back in the water.

Q. Tell us what you would do?—A. Put a fine on them.

Q. You would need a man in a boat to watch them?—A. Cannot the packer watch them?

Q. And inform on them?—A. Yes.

Q. Supposing the fisherman adopts the practice of brushing the eggs off, is it easy to tell whether that has been done?—A. You can tell, but there is very few of them.

The fishermen would not lose a great deal by saving them?—A. No.

Q. Do you think if somebody were to address the fishermen, as is done with farmers in the case of agricultural topics, we could get them to listen and understand?—A. They certainly would.

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Q. What do you think of the idea of compelling the fishermen to register and take out a license? It is thought that if they do that they will be more apt to observe the law?—A. I would think, if I understand you right, that the fishermen would not have much control over that fish. If Mr. Sutherland or Mr. Cummings came and hired me to fish for them any season I certainly would do so. Well I would not think I would require to have any license, it would be all left to them.

Q. Some people think that if the fisherman took out a license and understood that if he was caught violating the law he would forfeit that license, he would be more apt to observe the law himself and see that others did so?—A. I would think that that would be all right.

Q. And if that fisherman knew that others were persistently violating the law he would feel it his duty to do so?—A. I would not think that would be very safe for him.

Q. What do you think with regard to fishing in very shoal water; do you think if you fish there you get a smaller run of fish? There are some places where they fish in a fathom of water or less.—A. Yes. In most cases you find just as good lobsters as you do in 12 fathoms.

Q. But will you find any just as good on the average?—A. It is owing to the bottom in the experience I have had. If you get on sand, away out in 12 fathoms you get small lobsters.

Q. You get a better run of lobsters on rocky bottom or on reefs?—A. Yes, sure.

Q. Do the fishermen where you are own their own boats and gear?—A. No, sir, very few of them. There must be two or three in 500 or 600.

Q. Do you think a man who does, stands a better chance of making something out of it?—A. Yes, I certainly do.

Q. Will he be more careful of the gear?—A. He certainly will.

Q. What price do you get for your lobsters, how are you paid?—A. So much a hundred by weight.

Q. Are you satisfied with the price you get?—A. Some years I am, and more years I am not.

Q. One year with the other how does it come out?—A. It comes out very small to the fishermen.

Q. I suppose you understand the price paid to the fishermen must depend somewhat upon the state of the market?—A. Yes.

Q. This year the price was lower than it was last?—A. It was.

Q. Do you think it bears a fair proportion to the price received?—A. I suppose it does.

Q. What do you think is the spawning time of the lobster?—A. Well, sir, you have got me, I cannot tell you that.

Q. You find some with spawn on them all the time you catch lobsters?—A. Yes.

Q. You have never noticed whether the spawn is riper at one time than another?—A. As it advances in the season I think it is riper.

Q. You have never seen the eggs ripe enough to notice the eye of the young lobster shining through?—A. I think it must be after this time they spawn.

Q. Later than this?—A. Yes.

Q. Have you ever remarked what was the smallest sized lobster you ever saw with spawn on her?—A. I think between 6 and 7 inches.

Q. Do you think you have seen them as small as that with berries?—A. Yes.

Q. If the canner refused absolutely to receive berried lobsters what do you think would happen?—A. I think they would be doing all right not to.

Q. Yes, but what do you think would happen?—A. I think they would multiply, would become more plentiful.

Q. Do you think the fishermen would put them back in the water if the canner refused to take them?—A. I certainly would. They would be no good to him to land them.

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Q. What do you think of the present method of issuing licenses; do you think there are canneries enough?—A. Well, I don't know. I think if a man thought he could do better by them it is his privilege to do so.

Q. You think that he ought to get a license?—A. Sure.

Q. Do you think it would be wise to require him to show that he was in a position to carry on the canning?—A. It certainly would.

Q. It would not do to let everybody go into the business?—A. No.

Q. And if a man showed he was in good faith and had the means he ought to get a canning license in your opinion?—A. Certainly.

Q. Do you think the amount of gear fished under a canner's license should be limited, or should the canner be allowed to fish all the gear he likes?—A. Well, too much gear is no good, only a certain amount of gear that two men can attend to. I think 300 traps is plenty for any boat.

Q. Do you think it would be wise to insist on a regular space between the lower slats in the trap so as to let the small lobsters escape?—A. I don't think so.

Q. Do you not think the small lobsters would stand a better chance of getting out if that were done?—A. They could get out as far as my experience goes, the way the trap is.

Q. Have you ever known a fisherman to lose his catch of lobsters owing to the refusal of the canner to accept them?—A. No, sir.

Q. What do you think is the best date to fix for opening in the spring, or do you think there should be any opening fixed?—A. I consider for my part the ten days in April are no good for the fishermen on the north shore, because the ice hangs around there till the 5th or 8th of May. I think the fishermen and packers on the north shore ought to get a better chance than the fishermen on the south shore, because there is not a packer or a fisherman on the south side but has got his gear all saved, whereas the fishermen and the packers on the north side have had their gear all stove to b——

Q. Do you think the law with regard to the close season is well observed, or is there any illegal packing done after the close of the season?—A. I don't think so.

Q. What is the best time of your fishing with you?—A. Generally the month of May is the best month, but this year it was a very stormy month. June was ahead of it. Last year May was a finer season.

Q. You never attempted to ship live lobsters?—A. No.

Q. Do you think it could be done here?—A. I have got no idea. I have got nothing else to say. I would like the fishermen and packers not to have any worse chance on the north side than they have at present, and if anything it should be better.

Q. What do you mean by that?—A. If any time is given, to grant them the time. Then not to go to work to widen out the trap more than it is for I consider that things are all right as they are.

Q. And you think there is no fear for the lobster in the future?—A. I don't think so. They seem to be getting plentiful. They were more plentiful this year than they were ten years ago.

Q. Do you really think so?—A. Yes, sir, I am sure of it.

Witness discharged.

HERMAN MCPHEE, fisherman, Clear Spring, called and sworn:—

By the Commissioner:

Q. How far are you from East Point?—A. About 25 miles west from East Point.

Q. How long have you been engaged in lobster fishing?—A. I was one of the first men that ever set a line in our part of the country for lobsters.

Q. How far back would that take us?—A. To 1881, the first year Black Bush Factory was started.

Q. Was that the first factory in your neighbourhood?—A. In our neighbourhood.

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Q. How many factories are there now in that locality?—A. In our immediate neighbourhood? Hay River is the next place, Gillies factory. From there to East Point there is five or six.

Q. And to the west of you how many are there?—A. As far as St. Peter's, as near as I can judge, there are five or six more.

Q. I suppose factories are to be found at regular intervals all along the shore pretty much?—A. Yes, between three and four miles.

Q. Are you still fishing?—A. Yes. I am sorry to say we had one of the worst seasons we have had for 22 years.

Q. Did you fish your own gear?—A. Yes.

Q. Did you lose the most of it?—A. Not all of it. I saved more than I expected.

Q. What number of traps do you usually fish?—A. I fished 330 this year. I saved more of them than the factory man saved out of 2,000. I don't know why the gales were more lenient to me than to anybody else.

Q. Perhaps you may have been more active in saving your traps?—A. I was more interested in it I think. I saved 270 out of 330.

Q. Do you usually meet with some loss every season?—A. Last year I never lost a trap, it was an exceptional year.

Q. What style of trap are you fishing this year?—A. The four headed trap, and I have a seven headed trap.

Q. That is a pretty complicated business?—A. I went over the limit I think.

Q. Is there a limit to the number of traps?—A. I don't know, but they never had a seven headed trap until I made one myself and it is a good one too.

Q. Where is the advantage in it?—A. There is more room for the lobsters to go in. I had two nets, two on each side.

Q. That is more room for the lobsters to go in and less chance for them to get out?—A. Less chance to get out.

Q. What depth of water do you fish in?—A. From 12 feet of water to 14 fathoms.

Q. How far will 14 fathoms take you off there?—A. About three miles.

Q. What is the nature of the bottom on most of that ground?—A. Rocky ledge on the bottom. In our section there is a rocky ledge bottom. There is a strata of sand in shore.

Q. All the way?—A. All the way.

Q. How many trawl lines does that mean?—A. That would mean about 7 lines. We generally set about 50 traps to a trawl.

Q. How do you set them, parallel with the shore?—A. Parallel with the shore.

Q. Has that always been the custom?—A. Well not always. Some of them set them in and out but it is the more laborious way of setting them. I set that way myself last year for the first time in my life but I would never do it again.

Q. You set out there as soon as the ice is gone and you think there is no more risk from that cause?—A. Yes.

Q. At what part of the season would that be generally?—A. Along about the 26th of April this year. That is foolhardy too on our side. I have seen the time when we could not set until the 19th of May for ice, and then we had as good a fishing season as we have known.

Q. The fact that you start late does not prevent you from making a good season?—A. No, as long as the weather is favourable. All we want is favourable weather on the north side.

Q. Do you remain out in that deep water the whole season?—A. No. After the 1st of June the lobsters naturally move inshore.

Q. Then you bring your outer trawls in?—A. We move in too close for our own good at the last. We keep them in to a fathom and a half of water. We got the best fishing in there this year.

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Q. When do you make your best fishing generally?—A. Along about the last or middle of May and then in June, the middle of June. There is generally a slack spell, and about the 20th of June up to the 1st of July they spurt up again inshore in the shallow water.

Q. Is there any difference in the quality of the fish you get in deep water and those you get inshore?—A. Not that we can notice. If anything we get better fish inshore the last of the season. The small lobsters I got in 11 fathoms of water this year they were smaller than I got in 4. The outside fishery was not as good as the inshore this year at the first go off. We attributed that to the bad weather. They don't fish as well on ledgy bottom in rough weather as they do on soft bottom.

Q. What proportion of the fish you catch would be small lobsters under 8 inches?—A. Well under 8 inches I don't think there would be any more than half of them.

Q. One-half of them would be under that size?—A. Under that size.

Q. How small do you take them, down to what size?—A. They take them now as small as they can crawl, and that is small enough.

Q. What distance do you leave between the slats in your traps?—A. About five-eighths of an inch is the outside limit. The cross slats in my gear are five-eighths of an inch thick, the cross slats over the sill, and then I let the lath come down, but some notch the lath to go down lower than that.

Q. Could you tell me the percentage of female lobsters you get with eggs attached to them?—A. We did not get very many this year. We were waiting for a fishery officer to come around, we were warned after the first of the season. I don't know why he was coming there.

Q. Did he show up?—A. We have never seen him yet. I don't know whether the northeasters overtook him.

Q. What was he coming to do?—A. To look out for spawn lobsters. We were to be shot, hanged and quartered if we took any spawn lobsters. We were anxious to see that man come along to see if he could show us what a spawn lobster was. He didn't turn up.

Q. Is there any difficulty in deciding what is a spawn lobster when she has her eggs outside?—A. Some of them can tell and some can't. I guess that is the way it works out. It happened that this year there were not so many spawn lobsters as there used to be. That is something peculiar among them. You would not get half a dozen of what we generally call spawn lobsters in a whole boat load of four or five or six hundred pounds.

Q. Do these lobsters seem to come by runs or schools?—A. Oh, yes, they come by schools. Naturally they come by schools like any other fish.

Q. You spoke of a difference in the spawn lobsters; what distinction do you make between them? There is no difficulty in telling when a spawn lobster has her eggs attached?—A. I don't think the lobster carries the eggs outside.

Q. What is it that she carries outside?—A. She carries what we call a pad outside to protect the spawn.

Q. When does she deposit the spawn?—A. We cannot account for that. Did you ever—I suppose you are experienced about the lobster business?

Q. I know a little about it, not very much.—A. Did you ever see the young spawn rise to the surface after it would be matured?

Q. I have seen them hatched out in the hatchery.—A. Did you ever see any one that saw them rise in the ocean or gulf? I have not seen too many of them either. I happened to come across schools of the spawn lobster to the westward of the Magdalen Islands when in an American vessel. I have been mackerel fishing for a great many years.

Q. The young lobster you know is supposed to furnish food for the mackerel. That fish is supposed to prey on the young lobsters.—A. On the roe that is in them. We used to see the roe that was in them. But this was the natural lobsters rising

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to the surface. It was a real calm day. I never saw it but once and there was not a man in the vessel who had seen it before or afterwards.

Q. What did it look like?—A. It was the natural lobsters in patches about half an acre in extent. We dipped them up with buckets—we did not know what they were—as red as blood. We dipped them up and we found the natural lobsters about the size of my finger nail right along. Between the northwest part of Bryon Island and Miscou; they were in that deep water. We never saw them anywhere else.

Q. You do not think there is any use in particularly protecting this lobster we call the spawn lobster?—A. I would say it was a very good thing to protect them. It was about the middle of August that I saw this school. I know that some other man—I think this other old gentleman here—came across some, some years after. But the question was the time of the year those lobsters would spawn, the time they would take to mature to that size (illustrating by a gesture). You would have an idea in those hatcheries how long it would take to mature to half an inch long. I have seen hatcheries but I did not see any eggs hatched out.

Q. Have you been into hatcheries?—A. I have been in Wood's Hole and I have seen the hatcheries at Gloucester.

Q. Well the theory about the young lobsters that it is about one-third of an inch in length?—A. That is what it is.

Q. It makes for the inshore waters into open waters and swims about on the surface for six or eight weeks?—A. I dare say. That is just a theory we propounded on board our vessel that they come up to protect themselves from the codfish and all the ground fish.

Q. They are fed upon largely by the surface fish, the mackerel especially?—A. Yes. I see from the evidence given before the Parliamentary Committee that an American scientist makes it evident the female lobster spawns only once in three years.

Q. Some say once in two years but the majority believe she spawns once a year?—A. They have had an experience of 175 years in the States.

Q. An 8-inch lobster is supposed to be in its third year, and a 10-inch lobster in its fourth year.—A. How long would it take a 11-inch lobster to grow?

Q. It is supposed to grow two inches every year.—A. Now some maintain it takes 30 years to grow to a full length.

Q. That is a pretty old lobster I think?—A. They look pretty old some of them too. How is it that when we began first over there catching them in 1881—we have been seeing them around the rocks and ledges since we were born and our grandfathers before us and they were the largest kind in near the shore. Of course our traps were opener then, the width of a lath, and we would catch no small ones. If they went into the trap they would get out again. We got all large ones then.

Q. There used to be a space of an inch and a half between the slats then?—A. An inch and a half.

Q. And a very large hoop?—A. Five-inch hoop.

Q. Those large lobsters have been caught off have they not?—A. They were caught up in a very short while. In a space of six years, I think, they began to get small and they had to close down on the trap. And then they began to get scarce inshore, the large ones. We cannot find any overgrown ones now inshore.

Q. Do you not think some of them still exist?—A. They are very scarce.

Q. Your ring is so small they would never get in now?—A. We have caught a few 11 pounds here last year.

Q. In the trap?—A. Yes, in the trap.

Q. We still hear of some large lobsters being caught, but they are generally caught on the outside, if they get foul of the trap somewhere.—A. Those have been caught inside the trap in about a 4-inch hoop.

Q. Have you yourself caught any large lobsters of recent years?—A. Not extra large. Well, I think I caught one that would run about 8 pounds, but they were nothing to what we caught in the first instance.

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Q. Well, since your early days in the fishing I suppose the number of boats and traps has greatly increased?—A. Yes, too much so I think. I think there is too much gear set now for fishing. They had nearly as high as 500 traps to a boat on our side last season.

Q. Do you think it is possible for any one to fish that number of traps easily?—A. I could never see that point, that they could attend to so many traps. They were all right this year, there was less trouble in taking them in up the northwest way and that part.

Q. Are there many traps left in the water?—A. They left them all this year.

Q. But in a fine season we hear there is a great deal of gear left in the water, that old traps not worth bringing in are left there?—A. Certainly they don't lose too much time bringing them in.

Q. Do you think that old gear left in the water does any harm?—A. I don't think it does much good.

Q. It would not last long?—A. Oh, no, it would not last long in the water.

Q. Do you lose any traps from the borer here?—A. No, the worm don't affect us so much on the north side where I belong.

Q. In the Straits they complain a great deal of loss by the borer?—A. I daresay but their gear lasts so much longer than our gear on the north side, they have more shelter. Three seasons is the life of our gear on the north side of Prince Edward Island.

Q. Do you not think that the modern trap with a very narrow opening is unnecessarily destructive, that it is destroying too many of the young fish?—A. Oh, certainly it gets too many young fish.

Q. How would you remedy that?—A. By opening the trap.

Q. What width would you suggest?—A. I would think that about seven-eighths of an inch would allow those small lobsters to pass out.

Q. Would you have that width all over the trap or only in the bottom laths?—A. In the bottom is sufficient. That is the way they naturally go out.

Q. What do you think about the mesh in the end of the trap? Some people say it is no use to leave a large opening, that the mesh is big enough to allow the small lobsters to get out?—A. They can go out under the laths. The mesh has got to be small enough to keep them in.

Q. What size mesh do you put in the end?—A. About seven-eighths, that to an inch.

Q. That is extension measure?—A. Yes. If they give the lobsters a small hole they will go out. Where there is any part broken in the mesh they will go out.

Q. Do you think the larger lobsters chase the small ones out, away from the bait?—A. Yes, I think they will. It used to be so in the olden times. Then we could not get small ones. It was natural for them to be chased out, they were there then to make up the natural increase.

Q. In the old trap the small lobsters got out?—A. Yes, you would never find one then, but we can find them now and hold them in.

Q. As to the female lobster with eggs, what do you think is the best way to protect and save her?—A. It would be to put her back in the water.

Q. Is that done at all do you think?—A. I suppose in some cases it is done. But then you would want a man with a shot gun in the boat to watch out.

Q. If there is such a small percentage of berried lobsters it would be a simple matter and would not mean any great loss to the fishermen to put them back in the water?—A. No. I hove them away myself this year.

Q. But up to this year the practice has been not to save them but to bring them all in?—A. Bring them in to the boat. There would be some fishermen would bring the bottom in if they could get it in.

Q. And you would find somebody ready to pack it?—A. Yes, and let the Gulf of St. Lawrence drop down into the Indian Ocean.

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Q. Some people suggest that the best way of getting the fishermen to observe the law would be to compel them to take out a license?—A. It would be a very good idea.

Q. Do you think that a man who took out a license would be more careful about observing the law?—A. What do you mean by a license? A license to pack his own fish?

Q. Not to pack his own fish, but a license to fish, quite independent from the license to can?—A. Well, is there two sets of licenses?

Q. There would be in that case if the system were adopted. I do not say that it will be done but it is a proposition that has been made. The idea is that if the fisherman took out a license he would feel himself more or less bound to live up to the law and see that others did so. Furthermore, if he violated the law he would be refused a license another year and would not be allowed to fish?—A. And what about the law to make the packer live up to the commandments?

Q. Well, we are able to get the packer ashore?—A. But he is able to get at us in the price of our fish.

Q. Is he?—A. Yes, that is where the trouble comes in. He got at us in good shape this year. There was a very poor prospect at the first of this season about the market.

Q. Well, that would naturally mean the packer?—A. They told us they knocked off eating lobsters in London this spring.

Q. The lobsters were so dear last year the people could not afford to buy them?—A. They told us the market dropped out from us every place, and that the Frenchman lost his appetite in Paris and could not use any more. We could not make a price this spring. We got \$3 a hundred last year. We had them pinned down to an agreement, those men that had their own gear. Last year was a very favourable year for us but the market was bad.

Q. That was a very good price?—A. It was not too much considering we found our own gear and everything.

Q. And this year what price did you come down to?—A. They paid us \$2.40 this year and some of them got \$3. So that is the way this license goes.

Q. Do you think that is not a fair proportion or a fair share of the gain?—A. I know pretty well it is not. I paid for knowing it too, but I don't intend to pay for it another season.

Q. Are you going to give up fishing?—A. I am not going to give it up, I am not built of that material, but I am going to find out whether I can get a license to pack my own fish or whether there is a monopoly in this business or not.

Q. You know the practice has been for a number of years, or for some years back, to refuse a license to all new applicants?—A. I know that.

Q. Except in certain cases where a number of fishermen unite to pack lobsters on the co-operative plan when a license is given to them?—A. How many will constitute that number?

Q. I think from 10 to 30.—A. 15 some tell me.

Q. Fifteen ought to be able to manage it?—A. I saw a case in our own neighbourhood where two young men got a license and three in another concern.

Q. New canneries?—A. Yes, new canneries last year, and some of them have two licenses now. They got a new license and they bought in another factory. They have got the two now and they intend to hold them.

Q. Are they running them both?—A. No, they did not operate in the west one this year at all. One of the company told me he thought they were all right. They have paid the tax and they will hold them indefinitely and perhaps next year they will be looking for another, in which case they would have three licenses. I wanted them to give me one but they would not do that.

Q. Did you ever pack lobsters?—A. No, I never got the chance.

Q. In the early years was there any difficulty in getting a license?—A. No, not in the beginning.

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Q. What is your idea about it; do you think that every man who applies for a license should get one?—A. Well, I don't say that every man that applies for a license should get one because every man is not fit to——

Q. How would you determine who is fit and who is not?—A. I suppose they would get a recommendation from somebody so far as that goes.

Q. The department would have to inform itself as to that.—A. Yes. I would say that in my opinion and in the opinion of a good many there ought to be a license given to every three fishermen to pack their own fish.

Q. They would have to show that they were able to put up a certain building?—A. Yes, they would have to do that, certainly.

Q. Do you not think there ought to be some guarantee that the fish will be packed up to a certain standard?—A. Certainly, it is to their own interest to put up the best article they can. If they don't put up the article up to the standard they cannot expect to get the price. They are pretty well up now, they are putting them up as a general thing.

Q. Some people think the lobster fishery is falling and that it is necessary to do something or other to put a stop to the decrease, and one remedy suggested is to stop canning for a while altogether.—A. Have they anything to do with the natural increase of this business——

Q. Yes, they are people interested in the business.—A. Or are they trying to disturb the work of the Creator. They will get to that state in the Dominion of Canada yet that they will do that. They must be getting along pretty fast.

Q. We want to find out what is the best thing to do.—A. The lobster will take care of himself.

Q. Unassisted by regulations or anything else?—A. Yes, in this short season that we have.

Q. You would say let everybody do as they please in this short season?—A. Yes, get all they catch, but I don't say to catch the very small ones, or I don't think there is anything in it to catch a lobster about two and a half inches in size; there is nothing in it for the fishermen or the packer. With regard to exterminating the lobster for the sake of four or five weeks, I think they can rest easy on that score.

Q. Other people suggest another remedy: They say, 'Do away with the size limit altogether. You cannot enforce it and it is not enforced.'—A. It is a pretty hard thing to enforce.

Q. Then they suggest doing away with the size limit altogether.—A. I would say anything over 5 inches, they might work on that, and that is the most profitable fish for the packer—from 5 to 6 inches and along there.

Q. It is pretty well established that no lobster breeds until she is about 8 inches long?—A. I believe that is so.

Q. Do you think it is wise to exterminate the young of any flock—A. I don't think it would be judicious.

Q. Is that not what we are doing?—A. Yes, that is so, that is correct.

Q. I will explain to you fully what is proposed by some other people interested in the business—people that we have heard ourselves and others that went to Ottawa last winter and gave their evidence before the Parliamentary Committee that was looking into the condition of the industry. All we are doing here is to get the evidence of different individuals. We want them to express their opinion, and this evidence will be printed and laid before the committee for them to decide what is best to be done. Now we want to get the opinions of you and others like you who are interested in the business?—A. That is very correct.

Q. Well, it is proposed by some people as the best method of protecting the industry to do away with the size limit; we cannot enforce it?—A. No.

Q. But so regulate the space in the traps that the smaller run of lobsters might escape?—A. I would say that would be correct.

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Q. And it is proposed also to limit the season, to cut off July fishing?—A. At what time of the year are you going to fish?

Q. From the 1st of May to the 1st July, two months fishing?—A. I believe some of them would limit us out of it altogether. In our part of the country, on the north side, we have seen it up to the 25th of May when we could not set a line out at the place.

Q. It would naturally be expected to gain something if the size limit were abolished?—A. I think that is a proposition of the packers to curb the market.

Q. I do not think the packer will say that, he has a different opinion about it?—A. I think that is the gist of it. They are all the time trying to cut down the season.

Q. No, I do not think the packers are particularly?—A. I am thinking I am pretty nearly right. When we started a petition here a few years ago in one of the worst seasons we had, for an extension of ten days, some of the leading packers here would not sign it. Mr. Longworth of Charlottetown, signed it, and after they knew we would not get an extension, others of them signed it. We did not get the extension but we got it in the neck and we have had it there ever since. I don't know that it was so long afterwards that Sir Louis Davies, who was Minister of Marine when they were making this arrangement, ordered them explicitly, and the fishermen particularly, to make their own regulations and their own seasons and they neglected to do so. They do not do it to-day and I am afraid they won't do it either so far as they are concerned. So they got no extension since, and I don't think they will.

Q. Do you think extensions should be granted, should not the season be fixed?—A. As far as I can judge about the season, this July part when the lobster gets soft should be cut out; the lobsters are not fit to manufacture then.

Q. What do you call the July season, the ten days in July?—A. When the lobsters get soft in the shell they are not fit to can. This is along about the 10th July. As far as our judgment goes, and we have been talking it over, we think it would be proper to haul their gear in then, and leave them until the 1st August and catch until the 20th August. That is the best season of the year and the best lobsters are caught then and one-third of the gear would be sufficient at that time.

Q. Well, then you are in favour of two seasons fishing?—A. We would call it one season with a blank.

Q. What would you make the blank?—A. About two weeks. Some tell me that lobsters put up with the soft shell will go all right, and other more experienced men say they are not fit to put up. I don't believe myself they are. I had a little experience myself and I found that out.

Q. Is the practice of stripping or washing the eggs from the female lobster followed here; do the fishermen rub the eggs off?—A. Not that I know of. They never bothered with it in our part of the country, but that big fellow coming around may have scared some.

Q. He has not made his appearance yet?—A. No, I think the easterly wind headed him off.

Q. As to the matter of price, are you satisfied with the price you get for your lobsters?—A. Not this year.

Q. Do you not think there was some reason for decreasing the price; are canned lobsters worth as much in the market?—A. The packer wanted to put it in his own pocket.

Q. Do you think the packer is getting as much for his lobsters as last year or the year before?—A. I am sure he is getting pretty nearly as much. They promised us they would get the laugh on us another year, certain parties. I think they have got it this year although we trusted to their honesty.

Q. Do you know anything about the shipping of lobsters alive to the market?—A. Not from this part. I have seen them shipped from Nova Scotia to the Boston market.

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Q. What do you think of that branch of the industry; is it the most profitable one to the fisherman?—A. I think it would come in all right sometimes for them. I have known them to get as high as \$30 a thousand, or \$30 a hundred rather, I would say, in the Boston market.

Q. Is there any opportunity of carrying on that trade here?—A. Well, I think there would be if we had sheltered harbours on the north side.

Q. You have not got those here?—A. No, we have not.

Q. And you are too far from the market?—A. I don't think it would be very far to run live lobsters to Pictou and send them in refrigerator cars to Boston. I have seen them carried in smacks to Yarmouth, Nova Scotia, and then shipped to Boston from there.

Q. They are shipped mostly from Yarmouth?—A. Yes, from Yarmouth, Nova Scotia.

Q. And they go up to Boston in the night?—A. Yes.

Q. Do you think the lobster in these waters is as hardy as the lobster of the Atlantic coast?—A. I think he is one of the same family, it is about from that direction that he comes.

Q. Some people say that the lobster caught here in shoaler and warmer water is not as hardy as the Atlantic lobster, you do not think so?—A. I think he is hardy enough. If he gets hold of you at any time you will know what he is built like.

Q. Do I understand you to favour the plan adopted by the department of issuing licenses to a group of fishermen who would combine on the co-operative plan?—A. Yes, if they don't want to encourage the monopoly any further.

Q. Do you know anything about hatcheries?—A. Yes, I have been around several hatcheries but I don't know exactly how the thing is worked out. They tell me on the American coast that they are a benefit there and the size limit they tell me was a benefit to them also.

Q. Still in Maine they fixed the size limit to 10 inches?—A. They started at 9½ there some years ago and they got up to 10½ and now they tell me they would be willing to go up to 11 inches.

Q. They ship all their lobsters fresh to market, they do not can anything there?—A. No, they sell them alive in crates but they get a very decent price for them too.

Q. Would you advocate the establishment of more hatcheries?—A. I think it would be a very good idea. Anything that would propagate the species would be a very good thing. But then if the fishermen catch the small ones and kill them out I don't think it would be a very paying operation.

Q. I understood you to say that if the space between the slats were increased it would allow a fair proportion of small lobsters to escape?—A. Oh, yes, sir, I think that is the only way we can do, but the watching of the traps is where the problem comes in.

Q. To watch the traps?—A. To watch the space. We generally carry laths in the boats for repairs, and it is no trouble in the world for me to turn up a trap, nail a lath down tight, then turn it up on the other side and nail down another.

Q. If any such regulation as that were adopted, would it not be possible for the fishery officer to go afloat and watch the overhauling of the traps here and there?—A. I think the canner would be the proper man to look out for that, not to have them landed. That would be the place to watch them.

Q. Not to have what landed?—A. Not to have the small lobsters landed.

Q. Do you not think it would be possible for the fishery officer to go afloat and see the trawls?—A. Oh, yes, he could do that at any time if he would not be afraid to wet his feet.

Q. I suppose the fishery officer is generally a fisherman, is he not?—A. Not in our part. You don't get the fishermen getting a soft snap like that. I am thinking they are under a notion to fix the fishermen like they do the French Basques. They

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take them out of the penitentiary to the Grand Banks and then in the fall they take them back and put them into the penitentiary again. I think we will be in the same way if we don't look out.

Q. If there is any other statement you want to make it will be taken down. What you say will go before the Parliamentary Committee who are dealing with the matter.—A. As far as size limit goes I would suggest to try and protect the smaller lobster.

Q. What would you call a small lobster?—A. About 2½ to 3 and 4 inches long. I think anything below 5 inches is not worth handling. I should say if they were allowed to live another season they would be up to a standard of 5.

Q. Yes, they would have grown 2 inches?—A. Yes.

Q. Of course the theory of those who suggest the regulations is, that if they were observed strictly you would very soon benefit by the increase of lobsters?—A. I learnt that on the American coast. There they found that they grew in a very few years and they got a higher price for the larger ones.

Q. And fewer lobsters paid them better?—A. Yes. They would do as well by catching less of the larger ones and getting a larger price. I have seen them sold for 45 cents.

Witness discharged.

THOMAS KICKHAM, packer, Souris West, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing?—A. Some 12 or 14 years directly.

Q. Were you connected with the industry in any way before that?—A. Yes, some.

Q. Where is your cannery situated?—A. One at Souris West and the other at Rollow bay.

Q. Where is that?—A. It is only about 5 miles southwest of here.

Q. Between here and Georgetown?—A. Yes.

Q. Have you always canned in those factories?—A. No, there were others canned there before me.

Q. But since you have been canning?—A. We have been canning continuously in the same place.

Q. What number of boats do you employ?—A. Well, I guess between the two factories we had about 20 this year.

Q. Do you use your own boats and gear entirely?—A. Well, sometimes the fishermen would own some of the boats and gear.

Q. What proportion of the fishermen own their own gear?—A. About one-third I guess.

Q. Are the fishermen generally men who carry on all branches of the fishery, or do they confine themselves to fishing lobsters?—A. The majority of them confine themselves to the lobsters only. Some will fish codfish if any, but this year there are very few fishing anything else. They had to knock off.

Q. What number of cases did you pack this year?—A. About 700.

Q. And last year?—A. About 800.

Q. And the year before?—A. About the same I think.

Q. Then you have not done so badly in comparison with others?—A. No, I suppose not.

Q. What was the best pack you ever made?—A. I guess 800 cases was about the best.

Q. How do you find the condition of the fishery to-day as compared with what it was when you first began?—A. Well, I don't know. There is more expense to catch them. We get nearly the same quantity but they are a smaller run of fish.

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Q. You employ more boats now?—A. We have to employ more boats and more gear, we get the same quantity of fish with more labour.

Q. Can you tell me to what extent the gear has increased during the last 20 years?—A. Well, during the last 20 years I think there is nearly double as much gear in the water as there would be 20 or 15 and 10 years ago.

Q. And the pack is kept up by increased effort?—A. Yes.

Q. At what time do you begin fishing?—A. Oh well, we commence at the regular time, 20th April.

Q. Are you able to get out at that time on your shore?—A. On our shore yes, the ice is generally clear.

Q. Do you get out earlier than on the north?—A. As a rule. Sometimes there is not very much difference, it is just about the same very often.

Q. In what depth of water do you begin fishing?—A. Well, 5 fathoms and 6 and 8, along there.

Q. You have shoal water quite a way off?—A. Yes, quite a piece off.

Q. At what distance would you get that depth of water?—A. I suppose about two miles.

Q. Is it the custom with you, as it seems to be in most places, to move in as the season advances?—A. Yes. At some places all the fishermen move in sometimes.

Q. Not all?—A. Well no, not all. There was not much in it this year after the moving in.

Q. One year with the other do you think it makes much difference?—A. Well, it increases. They all could not move in you know, there would not be room for them. A few of them will move in but they don't increase their catch a great deal.

Q. What is the best season of your fishing?—A. Well, of course the month of May is our best month of fishing.

Q. And into June I suppose?—A. And into June, yes.

Q. Do you think there is any difference in the run of the lobsters that are caught in deep water and those caught in shoal?—A. Oh yes, those that are caught out in deep water are a little bigger, but not this year. They are pretty small everywhere this year.

Q. Talking about smallness, what is the proportion of fish below the 8-inch size limit?—A. Well, I suppose half of them are below 8 inches. I never took much notice that way. I never measure them anyway, but I know we have a good many small lobsters. I picked out a great many of the little fellows and put them into the channel that is handy to the factory, and they seem to be increasing there. I put some spawn lobsters there too. I have a kind of a pound of my own but it is just like this: I cannot get it protected, every one can fish there.

Q. Is there any opportunity there to make a pound?—A. There is good opportunity up in the river, there is no doubt about that. I have seen them there this fall, about two inches long, just growing. That is from the effect of having these spawn lobsters in the harbour and the little fellows.

Q. It soon tells you know?—A. Yes.

Q. You know about Mr. Baker's experiment in Cape Breton. I believe he has a pound at Fourchu, just outside of Gabarus?—A. Yes, I know where Gabarus is.

Q. Mr. Baker is making a success of his pound there, that is what he claims and I think there is no doubt about it?—A. Is there any means of surrounding the pound and keeping it private property?

Q. Yes. A pound is a place with a very narrow outlet. Mr. Baker has his fenced across with wire netting. He pays so much to the fishermen for all the berried lobsters they bring him, and they are held there until the close of the season, when the pound is opened and they are released?—A. They go wherever they like. Are there many of them stay in the pound?

Q. They do not winter in the pound, they all go out?—A. It would be something different from putting them in the channel. There is only a certain quantity of water I suppose occupied by the pound, an acre or two?

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Q. There is a limited amount but if you are going to put in a lot of lobsters you want a big area?—A. We have I suppose 200 or 300 acres of bay up there.

Q. And what depth of water?—A. There is 12 and 14 feet of water in it in places.

Q. Could you shut it off?—A. It is not easy to shut it off.

Q. How wide is that place at the mouth?—A. It has considerable breadth at the mouth. The narrowest place at high water would be perhaps a quarter of a mile broad, but when the tide is very low it runs down pretty narrow.

Q. That is pretty wide?—A. Yes.

Q. Otherwise the conditions would seem to be all right?—A. There is a strong current there too.

Q. You want a strong tide running in and out, but you must not have too much fresh water, because the lobsters will not live in it. They feed the lobsters in these pounds with mulched herring. If the herrings were put in whole the lobsters would fight for them and destroy each other?—A. I see.

Q. What proportion of the lobsters that are brought into you are females with berries?—A. Well, this year we took more notice of them than usual and there was a very small percentage.

Q. It is naturally a small percentage?—A. Is it always?

Q. Yes?—A. We took more stock of it this year on account of the hatchery boats going around.

Q. Do they come from Georgetown to collect the spawn from you?—A. Yes, but there was not more than two per cent of berried lobsters I suppose. I don't know if there was that.

Q. It would not mean a serious loss to the fishermen if they could be induced to put those lobsters back into the water?—A. Oh, no. I bought the berried lobsters from them and paid for them, and put them in the water myself before ever this hatchery boat came around.

Q. Do you think you would derive any benefit in your neighbourhood from that?—A. I think so.

Q. The fact is that you made a fairly good catch this year where others did not?—A. I don't know whether we can attribute it to that or not. We only commenced to put them in the river two years ago and they would be hardly matured yet, would they? It takes what time to mature?

Q. They say an 8-inch lobster is three years old?—A. I see.

Q. Has it been the practice in the past to can all the berried lobsters?—A. Yes, I think so. I don't think there ever was any stock taken of them much. Well, this last four or five years they have been saving them, but in olden times they did not.

Q. And the same with the small lobsters?—A. Yes, sir. My opinion is that the trap is not the greatest enemy the lobster has, it is the other fish. I think a great many of them are consumed by other fish, especially the codfish. I have seen five little lobsters about four inches long taken out of one little codfish.

Q. Those fish do prey on them but they always did that?—A. Yes, they always did that. I think more of them are destroyed when they are small, than by the trap when they grow up. There is more of them destroyed by the other fish when they are small, than are caught by the trap when they grow up.

Q. One of the worst enemies to the young lobsters is the mackerel?—A. Yes, when they come around here, but there are very few come now. The mackerel cannot destroy many because they do not come this way now.

Q. Do you think the fishermen as a whole are getting more careful in regard to the berried lobsters, are they beginning to understand the necessity for protecting them?—A. Yes, I think so.

Q. Would anything be gained by sending a competent person around to address meetings of the fishermen and explain to them the necessity of protecting the lobster; do you think the fishermen as a class would listen if that were done?—A. They get that dinned into them every day by the packers.

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Q. But it does not seem to have much effect in the past; you say it is beginning to tell?—A. There was not much interest taken in it until this last two or three years.

Q. What is the smallest lobster you have ever seen bearing eggs; have you ever remarked that in handling them?—A. I suppose 8 or 10 inches. I don't know that I ever remember seeing anything very small.

Q. The general run of spawn lobsters is fairly good in size?—A. That is right.

Q. And the number of eggs they bear increases tremendously as they increase in size?—A. I suppose so. How many eggs is a medium sized lobster supposed to bear?

Q. An 8-inch lobster may have 5,000 eggs, a 10-inch lobster 10,000 eggs and a 12-inch lobster 20,000 eggs. You see how they increase rapidly. A 16½-inch lobster caught at Wood's Hole, Mass., in 1905, was examined and found to have 85,000 eggs. Now as to the matter of hatcheries, do you think they are doing good work and should their number be increased?—A. As to that we could only just generalize.

Q. Your experience as to the hatchery at Georgetown has not been long enough and you had no experience elsewhere?—A. No more than around the channel here. They tell me the small lobsters there are growing very fast. There is no doubt about it, if the young lobsters grow after they are put into the hatcheries it is going to be a great benefit.

You will not raise as many young lobsters in a hatchery as you will if the lobster is allowed to hatch them out herself?—A. That is what I think.

Q. There is no doubt there is considerable loss in taking the eggs off the lobster and conveying them to the hatchery?—A. And there is a lot of them wasted.

Q. You can understand that if the man who takes the eggs off the lobster is not careful there is a lot wasted and destroyed?—A. I would say so.

Q. Now as to the question of traps, have you always used the same trap?—A. No, they are getting different traps. They have got now what they call the parlour trap. The lobsters get into it and they do not get out again. When they used the old fashioned trap, a good many used to get out if they were left to themselves. After they had ate up the bait they would begin to find their way out. Now they have what they call the parlour trap, and when the small lobsters get in they are not able to get out.

Q. Do you not think the slats in the trap are being put very much closer together than they were originally?—A. Perhaps they are but I don't know. I could not say as to that. I daresay that the slats should be put sufficiently wide apart to allow these very small lobsters to get out, because some of them are very small and they are not profitable. It is a pity to take them.

Q. And it must be wrong to destroy the very young?—A. Yes, that is what I think. However, as I said before, there are others at it as well as the trap. The small codfish and other fish are destroying more lobsters in my opinion than the trap.

Q. Under certain conditions there is a certain balance kept up, but when man takes a hand in the fishing, that balance is upset?—A. They are destroyed more than ever.

Q. What would you say would be a fair space to insist on between the slats?—A. That has never given me a thought because I could not form any idea what would be fair.

Q. Have you any idea of the space left at present?—A. No, I have not. Mr. Gillies here makes a lot of traps. What is the distance between our laths?

Mr. GILLIES.—About three-quarters of an inch.

The WITNESS.—We do not leave that space do we? I think they would be hardly half an inch.

The COMMISSIONER.—We have measured some that are not half an inch.

The WITNESS.—Of course there are some that are not half an inch.

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Mr. GILLIES.—It is not altogether inch laths.

The COMMISSIONER.—What is it?

Mr. GILLIES.—In the size of the mesh and the hoops?

The COMMISSIONER.—What size mesh do you put in?

The WITNESS.—Theree-quarters of an inch I think it is.

By the Commissioner:

Q. That is extension measurement?—A. I think so.

Q. Now as to the system of licensing canneries I would like to ask you a few questions. The policy followed by the department for a number of years has been to limit the number of licenses, until recently when they began issuing co-operative licenses, that is where a number of fishermen have grouped together and packed lobsters on the co-operative plan. What do you think of that policy?—A. I don't know that it could be improved upon.

Q. Do you think that the granting of licenses to fishermen in that way should be encouraged?—A. Yes, if they look after it.

Q. Do you think there is any reason why any man who shows his competency to pack should not be given a license?—A. If he is encroaching upon other people who are already able to can all the lobsters that are to be caught in that vicinity, I don't know that it would be advisable.

Q. The number of licenses has been restricted but no limit has been put upon the amount of gear fished; do you think a canner should be limited in the amount of gear he uses?—A. That is a question that deserves a good deal of consideration no doubt.

Q. Does it not seem odd to you to limit the number of canneries and not the amount of gear fished?—A. I don't know how that can be got at very well. It is a pretty critical situation to manage to pass a law to prohibit putting out too many traps. If it could be done it would be all right.

Q. Do you think that on the whole the amount of gear fished is excessive?—A. No doubt of it. There is too much gear in the water and it is too expensive to many men fishing. If it could be arranged, without causing too much friction, it might be desirable.

Q. It is claimed by some that the fishermen should pay a license as well as the packer. The fee would be only a nominal one but it is thought that if the fishermen took out a license he would feel more responsible and be more apt to observe the law and perhaps inform on others who did not. If he violated the law he could be refused a license in future and prohibited from fishing lobsters; do you think there is anything in the proposition?—A. I don't know, I am sure, whether that would be any benefit or not. It would be pretty hard to give a license for a tract of water, would it not?

Q. I think it would be very difficult—A. I don't know that I can give you any further ideas.

Q. Do you think it would be right to establish a certain standard of cannery?—A. That is for the quality of the fish?

Q. The quality of the fish we propose to get at in some other way; do you think it would be right to require a certain standard of equipment in the cannery, that the tables should be covered with a certain material and things of that kind?—A. Well, that would be all right, but the tables now are all 'zinc'd' over and I don't suppose they could be bettered much.

Q. In some places they are using plate glass or agate ware and it is more easily cleaned?—A. Is it as durable as zinc?

Q. When the plate glass is well bedded it is as durable as anything else. There is another thing: Do you think that the product of the cannery should be subject to

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inspection?—A. The product of the cannery is well inspected these days, because the parties who buy it pay out a lot of money for it. In the first place, they have to know the reputation of the canners, and furthermore, they are always inspecting them all the time.

Q. The buyers send inspectors around?—A. In most cases the fish is shipped in to them. Sometimes they send into Souris when they buy a lot. I sell to Robert Simpson & Co., and his men inspect my pack in Charlottetown. We ship in once a week and the goods are all inspected there and any leaks are sent right back to be repaired. The quality of the fish, of course, is well known, because they have been buying from us for a number of years and putting them on the same market, and possibly the same people have been buying them. The goods are numbered you know and they buy from number.

Q. Various propositions have been suggested by various people looking to the shutting down of the industry for a term of years or in successive sections; do you think the industry has really reached such a low ebb as to necessitate such severe measures?—A. No, it would never do, just now anyhow.

Q. One of the most reasonable suggestions made is that the regulation with regard to the size limit should be wiped out; it seems impossible to enforce it and it has never been enforced rigidly?—A. That is right.

Q. It is proposed that we should do away with the size limit and insist upon a certain sized opening in the traps?—A. I would not have that opening too big either, not at first. For instance, for a number of years there have been old fashioned traps made that will have to be run off anyhow. It would not do to pass a regulation that would condemn those traps that have been made. But if they were making new traps there might be a rule established to have them built so as to allow the really small fish to get out.

Q. I do not say that what has been spoken of is going to be done, they are merely suggestions. It would seem to me to be perfectly right to say that at the end of three years the existing traps should disappear. That is about the average life of a trap and there would not be anything too severe in that?—A. No.

Q. And at the end of that period all traps should be up to a certain standard, and in the meantime the same would apply to all new traps built?—A. Yes, they would have to have a certain space.

Q. In addition to that it is proposed that we should insist upon shutting down on the first of July instead of the tenth?—A. You may say we shut down every year on the first of July, because the fish get scarce and the fishermen do not fish. In fact I think if we were to commence on the 1st of May and finish on the last of June or the 1st of July, we would be just about as well off. Most of our fishermen this year knocked off about the 1st.

Q. Would these seem to be reasonable and fair measures?—A. That would be all right, this year anyway. Of course I will tell you, if we had a stormy summer and fish were pretty plentiful about the last of June it would be bad to have to close down then.

Q. You have got to take your chances on those things?—A. Of course.

Q. The theory entertained is that if the regulations were strictly and properly enforced and provision made for all the berried lobsters, in a very few years the fishery would re-establish itself and you would reap the grain?—A. There is another thing about it: If a law were made to close down on the 1st July and there was a stormy season and a poor pack, the government could always be appealed to have the time extended for a few weeks. I think that has been done before.

Q. Well the experience in many places is that these extensions have not always been an unmixed blessing?—A. When there was a good catch you would not want it, but if there was a poor catch it would be very necessary, because the people would want to get the best there was. They do not allow the boiling of lobsters here except at the factories.

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Q. According to the regulations it must be done at the factories?—A. Yes, that is to prohibit boiling on the coast or factories.

Q. It was found there was a good deal of humbug in the business?—A. Oh, yes. I think it is better not to boil the lobsters on the coast, but to haul them to the factories and get them put up there.

Q. How is the arrangement made with the fishermen as to price and pay?—A. Well, it is so well established now that they have nearly the same arrangement from one year to another. It may perhaps vary a little from year to year. It was a little lower this year than last.

Q. Do you think there is anything in the nature of a combination to keep the price down?—A. Oh, no, not in this part of the country.

Q. Is there any illegal fishing during the close season?—A. No, sir, I think not. Not in this part of Canada, not on Prince Edward Island, I don't think, especially about the East point.

Q. There is a good deal in some other parts?—A. Perhaps so, but not here. They seem to be all glad to give it up when the time comes.

Q. As to the abandonment of gear, is there much gear purposely abandoned in the water?—A. Yes, some of the fishermen are very careless, and they do leave it there, and we have to send our own men out and pick it up. Sometimes they do it from carelessness and sometimes they are too lazy. I don't know how to qualify it, but we lose a good bit of gear anyhow.

Q. As to the method of stamping the cases, do you think it has had the effect of keeping down illicit canning? We are told there are a great many ways of getting around it?—A. Well, I don't know. I don't think the people are inclined to do any illicit canning.

Q. Do you think any harm is done by fishing in harbours, bays, lagoons and in-shore waters?—A. There is nobody fishes in those here, there is none caught in those places in this part of the world. I was trying to start a little nest of lobsters up in Souris West harbour and I don't know how it will pan out, I am sure.

Q. What is the extent of that harbour?—A. From the mouth to the head of it, about three miles long, and up the bay there is quite an area of water.

Q. Is the channel wide?—A. The channel is a quarter of a mile. At high water there is quite a breadth, but at low water when the tide is out it is only a small space at the mouth.

Q. Is it used for the purposes of navigation at all?—A. Very seldom now.

Q. Do any vessels go in there?—A. Very seldom. There is only eight feet of water at the entrance, 7 to 8 feet, and very few vessels go in there now.

Q. Is there anything further you wish to say that you think of yourself?—A. I don't think there is, that is all. Of course, you are doing the hatching out of lobsters in the hatchery at Georgetown, and if you thought it well to put the spawn lobsters in these rivers it would be a good thing. I think they are more likely to do well in the rivers.

Q. Especially the harbours, I have more faith in them than in the hatcheries?—A. Yes, I would think it would be better.

Witness discharged.

ALLEN GILLIES, packer, St. Margaret's, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in packing?—A. Six years.

Q. What number of cases do you pack?—A. From 250 to 400 and 430.

Q. What did you pack this year?—A. 400 cases.

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Q. Then you made a good catch this year?—A. It is slim enough considering the expense of running and so on.

Q. What number of boats do you employ?—A. Six this year.

Q. Are they your own boats?—A. All except one.

Q. What was the best year you ever had?—A. Last year, 1908.

Q. What did you pack then?—A. We packed 427 cases with five boats.

Q. You heard the evidence of the preceding witness?—A. I did not pay very much attention to it.

Q. Does your opinion tally with his as far as you heard him?—A. As far as I heard him I guess he was all right.

Q. Do your boats follow the same practice as in his case, do they begin the season in deep water, and as it advances move in?—A. Yes, that has always been our rule.

Q. That is the rule everywhere, as far as we know, where you fish in deep water at all.—A. Yes.

Q. You have not long been packing to know whether there has been much difference in the conditions; I suppose they are about the same?—A. Which condition, Sir?

Q. As to the run and size of the fish?—A. I commenced to fish 13 years ago. I don't see much difference in the size of the fish.

Q. If the decrease has occurred it took place long before that?—A. It must have, because it is not in my experience.

Q. In your experience things are about the same?—A. About the same.

Q. Do you think the decline has been arrested, that there is no decrease going on now?—A. I don't see that there is any decrease so far as my experience goes.

Q. Do you think the fishermen are getting more careful about preserving the breeding lobsters?—A. Well they may be, but I don't see it.

Q. Has it been your practice up to this year to take all the lobsters that were brought to you?—A. Yes.

Q. Was there any exception made this year?—A. None that I know of.

Q. You took small lobsters and berried lobsters, everything went into the boiler?—A. I took them as they came, I did not see any berried lobsters. The small ones of course we took; the berried lobsters are never caught.

Q. Do you ever get any berried lobsters?—A. They may come but I don't see the berries on them.

Q. Is it the practice with the fishermen in your neighbourhood to brush the berries off?—A. It may be, I cannot say.

Q. In your opinion should the berried lobster be protected?—A. Yes.

Q. How do you think we are going to get at the fisherman to induce him to do that?—A. I would think to buy these lobsters.

Q. Do you think that the canner would be prepared to pay an increased fee in order that the government might purchase the berried lobsters?—A. Well, I don't know that the canner would be the one. Of course the canner has got to pay enough for them anyway, but I think if the department or the government want to preserve the industry they should pay for the lobsters.

Q. Do you not think the industry should pay for its own protection?—A. Yes, probably it should.

Q. What is the best of your fishing season?—A. The month of May.

Q. There is no use asking you I suppose about the percentage of berried lobsters since you do not see them. What proportion of the fish you take are under the 8 inch limit?—A. Well in the month of May there is a very small proportion I would think, not very many, but from the 15th of June up to the latter part of the season, 10th July, there is a very big percentage of small fish.

Q. Would you say you get a better run of fish off shore than inshore?—A. Yes, we certainly do, a larger run of fish.

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Q. Do you think there is any time when the lobster is not fit for food?—A. I never heard. Of course I have got a certain man to put up the fish. The fish goes up just the same from the first of the season to the latter part and I don't hear any complaint from the parties I sell to. I find the fish going out about the same.

Q. Do you think that when the lobster has cast its shell, when it is soft shelled, it is equally as good for human food as at another time?—A. Well in my experience I don't know any more than those who buy from me. They always say my fish is all right for the market.

Q. You put them up and you do not note any difference?—A. I don't take any note of them.

Q. What style of trap do you use?—A. We use what is called the parlour trap.

Q. Do you think it is any more destructive for a small lobster than the old fashioned trap?—A. I don't think it is any more in my experience. Of course I fished previous to running the factory.

Q. And you fished the old fashioned trap?—A. Yes.

Q. And you think the new trap is no more destructive than the old one?—A. None whatever.

Q. Do you allow the same space between the slats now as when you first began to fish?—A. No.

Q. Have you narrowed it down?—A. Narrowed it down.

Q. Does the parlour trap not catch smaller lobsters than the old trap?—A. Yes.

Q. Do you think that if the size limit of 8 inches were strictly enforced you would have to close down?—A. Oh certainly.

Q. In your opinion is the present policy of the department in limiting the number of licenses a sound one?—A. Of course as far as our coast is concerned, we find it small enough with the ground that we have got. That is, I always had five boats up to the present. Last year I had six. I think if there was a license to come in between me and my neighbour it would be as well for me to drop out, or for those who have got a license to drop out.

Q. That means that you are satisfied with things as they are?—A. Well yes, as far as I am concerned. Of course it might be possible that my neighbours would want to get a license. If they did and obtained one I would retire out of the business, because I would not find it a paying occupation.

Q. What do you think of the department's policy of issuing co-operative licenses where a number of fishermen club together for the purpose of engaging in packing.—A. It might be all right provided they could get a good honest club to work together. Of course partnership in an industry, which is not a very certain industry, never works very good.

Q. Could you give me any idea of how your lobsters run; how many green lobsters does it take to fill a pound can?—A. About five.

Q. How many hundred pounds of green lobsters do you allow to the case?—A. Well in the first of the season, in the early part of May, they run about 240 pounds. Later on they run lower. We could get a case of meat out of about 220 pounds.

Q. They are fuller then?—A. Yes.

Q. And these small lobsters, as a rule, turn out better in the end?—A. And the most profitable.

Q. What do you think as to this matter of the payment of the fisherman; do you think the fisherman is getting a fair price for his lobsters?—A. Well they are getting all I can afford to pay them.

Q. The price to the fishermen is not quite so much this year as last?—A. No.

Q. Because of the state of the market; you are not getting as much yourself?—A. Last year was a year which almost killed the whole industry, as far as I know, because prices went up so high for hired help in the factory and the cost of fish, that it was very hard to curtail them down so as to make a profit or make anything at all out of it. On that account we are just barely living this year.

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Q. Within your knowledge there is no combination on the part of the packers to establish a fixed price to be paid to the fishermen?—A. None whatever.

Q. You have had nothing to do with the exportation of live lobsters?—A. No, Sir.

Q. The facilities do not exist here?—A. No.

Q. What do you think of hatcheries; should their number be increased?—A. Certainly they should on this basis: The seed lobsters should be bought and sent to those different hatcheries. It is very hard to protect the seed lobsters otherwise.

Q. Do you think there is any illegal fishing done, that is fishing after the close of the season?—A. None that I know off.

Q. About abandoning gear in the water, is that done to any great extent; are traps left out at the close of the season and not picked up?—A. Well, no, I think they have been very honourable to me up to this year. Of course the storm has made it unprofitable this year, wiped the whole thing out, closed it up quickly.

Q. Do you know anything about fishing in bays and lagoons?—A. None whatever.

Q. That is about all I have to ask you, you are at liberty to suggest any recommendation you wish to make of your own accord?—A. There is nothing that I can say. Of course there are small lobsters caught, and I suppose it is your duty to try and protect the industry as much as possible. I don't see any way that you can protect it, except by opening out the trap and getting a larger mesh in the hoop.

Q. What do you say the mesh should be?—A. It should be a two-inch mesh.

Q. And what should be the distance between the slats?—A. About three-quarters of an inch, an inch where you can. I know the second year that I went fishing. Of course the partner I had was an experienced hand. We followed up the rules which they followed for years previous to that, and I guess on the off shore fishing in May we caught a good deal of fish in comparison with our neighbour. But we had neighboring fishermen who had close slat traps and close netted hoops, that is about an inch mesh I should say. When it came that we came inshore to what we call the late fishing, that is the inshore school, we would get the large ones, but he would get the large ones and the small and he used to double our catch every day. That is about all I have to say. Of course I would like to get some small ones too, they are profitable, but if you want to protect the fishery, open out the trap and open out the hoop.

Witness discharged.

ANGUS CUMMINGS, packer, Goose River, called and sworn:—

By the Commissioner:

Q. Where do you pack?—A. At Goose river on the north side.

Q. How far is that west of East point?—A. It would be about 12 miles from East point I suppose, or a little better.

Q. How long have you been engaged in canning?—A. Nine years.

Q. What number of boats do you employ?—A. Five.

Q. What number of cases did you pack this year?—A. We did not put up 300 this year, not quite 300.

Q. What did you do last year?—A. We put up pretty nearly 400 last year.

Q. Was that your best year?—A. Yes, last year was our best year.

Q. How are your men employed, fishing your own gear?—A. Yes, we own all the gear.

Q. How many traps do they fish?—A. About 350 to a boat; some 400, some 300.

Q. Do you think that a man can fish properly 300 traps?—A. Yes, I think he can with the way we have the gear divided, each dory has got so much.

Q. What depth of water do you fish in generally?—A. From 5 to 13 fathoms.

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Q. Do you fish always in the same depth of water or, like all the others, do you move in?—A. They move in about half the gear.

Q. I suppose the outside traps are moved in?—A. The outside traps are left out, the middle ground traps are moved in.

Q. Is it easier to leave the outside ones?—A. So that they will be safe there. They have only room for a certain amount of gear.

Q. During the time that you have been packing what is your experience of the fishery; do you notice any appreciable decrease in the run of fish?—A. No, I think it has increased here of late years.

Q. Are you getting the same amount of fish with the same amount of gear?—A. Well, pretty near. We did not have the same amount of gear when we commenced first, but we generally get the fish according as we put out the gear. The gear has been increased, and we are getting more fish every year. We have got twice as much gear as when we commenced, and we are getting double as much fish.

Q. And how are the fish running?—A. I would say they are about the same size as when we commenced.

Q. What proportion of the fish you catch would be below the limit of 8 inches?—A. I suppose there would be one-third coming on towards the last of the season.

Q. Would you be able to continue canning if you were forced to stick to the 8 inch size?—A. No, sir.

Q. What becomes of the berried lobsters?—A. They say they throw them all away. Our orders are to take none, that is the orders we get from the fish warden.

Q. Is it the case that they have not been taken?—A. Not that I know. They talk about the fishermen washing them off; that is something I don't understand anything about.

Q. How long have you been living up to those instructions?—A. The last two years.

Q. And before that what did you do?—A. It was not enforced very particularly. There was talk about it the last two years. It has been talked about and particularly mentioned by the warden.

Q. What is your opinion about the spawn lobsters, do you think they come inshore for the purpose of spawning?—A. No, sir, I don't.

Q. What do you think about it, what is your experience in the matter?—A. Well, I don't think they come inshore to spawn, I think they just pass into the shallow water according as the water gets warm.

Q. Then they do not particularly come in to spawn?—A. I don't think so.

Q. Where do they spawn?—A. I don't know, I think they spawn all over the ground.

Q. Outside as well as in?—A. Yes, outside as well as in.

Q. What proportion would you say of the lobsters you catch are berried fish; how many are there in every hundred?—A. I could not say. For the last two years we have not seen them.

Q. But when you did see them what was the percentage?—A. I could not say. I would say some were about 150 and 200 to the 1,000 pounds. When I used to be fishing I never saw it that large.

Q. Do you think the practice is followed to any great extent of rubbing the berries off the female lobster?—A. I never heard much about it until I heard it here to-day.

Q. Prior to two years ago all the berried lobsters were taken, there was no necessity for doing it?—A. I guess pretty much; I don't know that there was any restriction on it.

Q. How would it be possible to get the fishermen to return all the berried lobsters to the water?—A. Pay them for the fish, that is the only way you will get them to do it I believe.

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Q. As a canner would you be prepared to pay an increased fee so as to raise a fund with which to buy these lobsters?—A. I would not be against paying my share.

Q. About this matter of the trap, do you think that by regulating the space between the slats and fixing the size of the mesh in the end of the trap, you would allow a fair proportion of small lobsters to escape?—A. I think the mesh in the end of the trap is sufficient. These little lobsters there is nothing in them.

Q. What size mesh do you make?—A. About a two-inch mesh.

Q. How do you find that to work because that is a much larger mesh than usual?—A. Yes, some are powerful small.

Q. Some are only three quarters of an inch?—A. I will tell you the difference in the mesh we used to have. We used to have 4 inch mesh and this year we have only got 2. That shows you the difference there.

Q. What has been your experience; since you did that have you got a better run of lobsters?—A. We don't have so many small ones.

Q. Do you think the matter would be better governed by altering the mesh than by widening the slats?—A. I think it would be just as good, there is no difference certainly.

Q. Your idea would be to do both?—A. It would be all right to do both, only in the case of the old traps that have been made it would not pay to alter them.

Q. What do you consider the life of a trap?—A. From two to three years.

Q. Did you lose many traps this year?—A. Pretty much the whole of them.

Q. What do you value a trap at?—A. We value a trap at \$1 when it is ready for fishing.

Q. What do you consider your lobsters run; how many lobsters would there be to the pound can?—A. Between 5 and 6 I guess.

Q. I suppose you know better perhaps the number of pounds weight it takes to fill a case?—A. Our average this year was 209 pounds. The lobsters did not pack so well in the first of the season.

Q. The lobsters are not quite so full then are they?—A. Not quite so full at the first of the season; 209 pounds was our average for the season through.

Q. Various suggestions have been made for the improvement of the fishery. One is to close down altogether, and another to close down by sections. It seems hardly necessary to adopt such an extreme measure as that. What do you think of the suggestion to do away with the size limit altogether, and to regulate the matter of size by providing for certain sized mesh and openings in the trap?—A. I would say that would be proper.

Q. Of course protecting the berried lobster in every way possible; either placing her in pounds, putting her back in the water, or having hatcheries where her eggs could be hatched out.—A. Where they can be established it is all right. On the north side we cannot have them.

Q. It is also suggested that in exchange for doing away with the size limit, the season should close on the 1st July; how would that affect you?—A. I would not like to see that myself on our north side. Here last year and the year before, our best fishing was just then. We had very good fishing and fine lobsters.

Q. Of course the theory of those who advance this proposition is, that by enforcing such a regulation, in a very few years the lobsters will have a chance to pull up and you will be making better catches.—A. The north side is so uncertain in the spring. There have been years when it was the 20th of May before we could get anything out.

Q. The present date of opening suits you all right?—A. Yes, 26th April suits us all right.

Q. What do you think of the matter of licensing canneries; do you think there is any real reason why any man that shows his competency to can should not be given a license?—A. I think if he is not interfering with any other packer and there is room for him he should—that is where he can see there is room enough without interfering with any others.

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Q. Otherwise things should remain as they are?—A. Otherwise give two years notice to that effect so that people could get out of it.

Q. What do you think of limiting the amount of gear fished by the cannery?—

A. I don't think there will be any need for doing that unless they are fishing in other ground where the gear is mixed up. But where the packer has his own gear let him use all the traps he likes on his own ground.

Q. What do you think of the proposition to license the fishermen, do you think it would make any difference to them at all?—A. I don't think that would be any good at all.

Q. You do not think the fisherman with a printed paper in his pocket would be any more likely to observe the law than another man who had not?—A. No, I do not think so.

Q. Should the output of the lobster cannery be inspected?—A. Well I think it is very well the way it is, I don't hear much complaint.

Q. You think the thing is pretty well put up and that all the protection the consumer needs is given?—A. Yes.

Q. Where the live lobster industry can be carried on, is it more profitable to the fisherman than selling to the canner?—A. Where it can be done, in Nova Scotia and other places, I think it is, but here you cannot do that.

Q. Is there very much fishing out of season done in your locality?—A. Not to my knowledge, I don't think it is done at all.

Q. Have you anything to say with respect to fishing in bays and lagoons?—A. No, sir, I don't know anything about it.

Q. There are many who say that once the fish have passed from the sea into these inshore bays and lagoons they should be protected there and not caught; have you any idea on that matter?—A. No, sir, I have not. There are not any of them around where I am at all.

Witness discharged.

DONALD F. McEACHERN, packer and fisherman, Hermanville, called and sworn:—

By the Commissioner:

Q. What is your occupation?—A. I have packed lobsters for seven years and also fished.

Q. How far back does your experience as a fisherman go?—A. About 11 years.

Q. Where is your cannery situated?—A. At Hermanville, about 8 miles from here, on the north side.

Q. How many boats do you employ?—A. Six.

Q. They are mostly double boats I suppose, two men in each?—A. All.

Q. Do you own the boats and gear?—A. All but one.

Q. What number of cases did you pack this year?—A. 424 cases.

Q. And last year?—A. About 450 cases.

Q. And the year before?—A. I think about three hundred and some odd cases, as near as I can remember.

Q. This year has not been a bad one in some places?—A. Only the prices, the prices are bad.

Q. I suppose your boats fish in about the same depth of water as those of the other gentlemen that have been examined?—A. Along the north side.

Q. The fishermen go out to 12 or 13 fathoms?—A. Between 11 and 12 fathoms is the depth of water any of our boats has been on.

Q. And do they follow the usual practice of moving in as the season advances?—A. Yes.

Q. What is your experience with regard to the lobsters caught in the early part of the season before the fishermen move in, and those that are caught later?—A. Well, I

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don't know, I cannot say very much about that. I think the lobsters we got out in deep water are larger. When we move inside, for a certain amount of days, we get very large lobsters too. That is principally on rock. Some times late in the season the lobsters got inside, on rock, are fairly large.

Q. Do you get smaller lobsters on sandy bottom?—A. Yes, that is right.

Q. Are you fishing about the same amount of gear now that you formerly did?—A. Oh, no, we fish a lot more gear.

Q. Can you say that you have to keep up your pack by increasing the amount of your gear?—A. That is the only way we keep up the same quantity of lobsters, by increasing the amount of gear.

Q. You had to do it?—A. Yes, that was practically the only way.

Q. Within the years of your experience do you notice much diminution in the average run of the lobsters?—A. No.

Q. Or the average size?—A. No. I think the lobsters we got—seven years ago was my first experience, that is for ourselves, and we got more lobsters that year with the same amount of gear than we got three years previous, but we had a different trap.

Q. Did you begin with the old fashioned trap?—A. Yes.

Q. What is the difference in the fishing capacity of the two traps?—A. Well I could not say, only I guess the other simply holds all the lobsters that come in. I would say that if the traps are left for a length of time, the new one seems to hold the bait better, that is the principal question.

Q. A great many people find that where the lobsters are fished every day there is no great difference, but if they happen to skip a day they find more lobsters in the wheeler trap?—A. I think the fact is, that when the lobster gets into the wheeler trap it does not get out so easy and does not eat the bait so much.

Q. Are you putting the slats of the trap closer together than when you first began to fish?—A. Just about the same. I don't think there is any difference.

Q. Have you any idea what width is allowed between the slats?—A. About three quarters of an inch.

Q. Do you not think that the new trap is catching an unfair proportion of small fish?—A. I am not prepared to say. It is six years since I fished the two-headed trap and I am not prepared to say.

Q. What proportion of your catch would be below the size limit of 8 inches?—A. I cannot say. It would be three or four weeks before we closed the factory that our lobsters were inspected, and I guess in my own boat they got an average of 7 or 8 inches in a catch of 700 pounds.

Q. What do your lobsters run to the pound tin; how many pounds of green lobsters does it take to fill a pound tin?—A. I have never figured that out closely, but I have figured out how many it takes to the case. Between 217 and 220 is our best average.

Q. Do you pay for your lobsters by weight?—A. Yes, sir.

Q. Are there any people who pay by count in this part of the world?—A. Not that I know of anyhow.

Q. Could you give me any idea of the proportion of berried lobsters taken in your region; what number of berried lobsters would you find per hundred?—A. That is spawn lobsters? I could not say for sure. Well for the hundred there would not be any more to the best of my judgment—some days they might be a little more plentiful than others—but for an average there would not be more than two per hundred pounds.

Q. What has been the practice of the canners; have you taken everything that the fishermen brought to you without regard to size or whether they were berried?—A. Yes, because I was not always there myself, and I cannot say what was always done. I have chucked away some spawn lobsters except there would be one got in unknown to me.

Q. Has there been any notice taken of the size limit regulation at all?—A. No, I don't think so.

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Q. What would happen if you were tied down strictly to the 8 inch limit?—A. We would have to close up I suppose.

Q. Would you get any fishermen to continue fishing?—A. No, it would not pay them to fish.

Q. What do you think is the best way of getting after the fishermen with a view of preserving the berried lobsters?—A. Just simply heave them overboard or have a hatchery where they can be carried. That is about the principal view I have.

Q. Do not the fishermen understand they ought to preserve and protect the berried lobsters; if there is only such a small percentage as you say taken, it cannot make an awful difference to the fisherman if he has to throw them overboard?—A. It would not make an awful difference.

Q. But still it never seems to be done?—A. It is done by lots of people.

Q. This year it seems to have been done more generally according to all accounts?—A. Yes.

Q. Do you think there is any possibility of educating the fisherman up to the fact that he should protect and preserve that lobster, that it is in his own interest to do it?—A. I could not say. One person might be anxious and another one might not be. The opinion of the fishermen differ so much that I could hardly say.

Q. What do you think of the present method of issuing licenses to pack?—A. I don't think the fishermen are getting fair play. I think they ought to be granted a license. If the fishermen don't get fair play from the packers they should be granted a license.

Q. Do you think the fishermen are getting fair play?—A. So far as our business is concerned they do get fair play, and if they don't get fair play I am satisfied they should be granted a license or anybody else.

Q. Well they do complain that they do not get fair play in some places. Others say they are satisfied with what they get, that they receive all the packer can afford to give them; do you think they do?—A. I think they do in our part. We did our best anyway this year.

Q. Do you think we should insist upon a certain standard of cannery?—A. I think it would be better that all fish should be put up in good order and not have these rough coolers or anything else.

Q. Do you think it would be well to insist upon an inspection of the product of the lobster cannery?—A. I think it would be.

Q. What do you think of requiring fishermen to take out a license to fish?—A. I would not be prepared to answer that question, I don't quite understand it.

Q. How have the regulations for the protection of the lobster fishery been observed in your district, for instance as to the 8-inch size limit?—A. It is not observed by any means.

Q. Do you think the size limit regulation would be a difficult one to enforce?—A. It would be a difficult one to enforce because you would get no fishermen to fish.

Q. What do you think of stopping canning altogether for a number of years?—A. It would be a very serious injury I think to all concerned, fishermen and everybody else.

Q. What would you think of closing down by sections?—A. Down in our part of the country it is farming and fishing principally, and it would be a great injury to the people if that thing should happen.

Q. Other people have suggested doing away with the size limit, protecting the berried lobster, and closing down on the 1st of July instead of the 10th; how would that suit?—A. I think as far as my idea is concerned if we start on the 1st of May and then get to the 20th July. As far as my estimation goes there is just as many spawn lobsters in deep water as in shoal water.

Q. You don't believe in shortening the season?—A. No.

Q. Would it seriously cripple the industry to close on the 1st of July?—A. I think it would, the fishermen as well as the packer.

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Q. It would not hurt the fishermen so much as the packer would it?—A. It amounts to the same thing. If the packer does not make good money, the fisherman is not expected to get his.

Q. What do you think about inspecting the pack of the canneries?—A. I think it would be all right.

Q. Are there any co-operative canneries in your neighbourhood?—A. None that I know of.

Q. What do you think about the policy of issuing a license to a group of fishermen who incorporate a company and engage in the packing of lobsters?—A. Well I don't believe in that at all.

Q. Do you think the fisherman would make more money if he were allowed to can for himself than merely by fishing?—A. What I mean is to give the fishermen fair play. I don't believe in a combine.

Q. Do you think there is any combine in existence?—A. Not that I know of at present.

Q. Has there ever been?—A. There may be.

Q. You are in the business, you ought to know?—A. Not in my experience, but I guess there have been though before my experience, as near as I can judge.

Q. Is any fishing out of season carried on to your knowledge?—A. Not to my knowledge.

Q. You think the season really closes on the 10th of July, and there is no more canning or fishing after that?—A. We are generally allowed to pack what is taken in our traps for a couple of days or so. That is during the time you are landing your traps, that is our experience since we started the factory.

Q. What about the practice of stamping your cases, do you think that is of any value as a safeguard?—A. I certainly think it is, it must be.

Q. You think it is not the practice to remove labels from cases and put them on others packed illegally, or empty the stamped cases and refill them with lobsters caught out of season?—A. I have never known anything of that kind to be done.

Q. Would you confine lobster fishing to a certain depth of water?—A. I could not say I would.

Q. Do you know anything about the practice of abandoning gear in the water?—A. I guess I have had experience of that.

Q. Do you make any agreement as to prices?—A. We never had a written agreement, but we generally always pay a little more than we offer to the fishermen and our factory hands also. We never went a cent lower than we offered factory hands or fishermen.

Q. What are most of the men who fish lobsters for you, farmers or fishermen?—A. I think there were two fishermen who follow fishing and the rest generally were farmers.

Q. Who go back to the land after the lobster fishing is over?—A. Yes, principally. A good many are people from the neighbourhood around.

MR. J. J. HUGHES. With regard to the question of inspection, what you mean is inspection by a government inspector?

THE COMMISSIONER. By a government inspector the same as is done in the case of meats and other food products.

MR. J. J. HUGHES. To see that the goods are properly put up. I think there is a good inspection now by the jobbers and the wholesale men.

THE COMMISSIONER. We find some of these men going around and inspecting the pack.

MR. J. J. HUGHES. The buyers will not buy anything unless subject to inspection by themselves. My own opinion is you could hardly improve on this.

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THE WITNESS. If you had government inspection we might have a fairer value for our lobsters.

THE COMMISSIONER. The idea would be to inspect the product of the lobster cannery the same as cheese and canned meats.

MR. J. J. HUGHES. And to see that the quality would be uniform

THE WITNESS. To see that it would be first class.

THE COMMISSIONER. The question would then arise, are the existing staff competent to carry out that inspection.

Witness discharged.

Commission adjourned.

APPENDIX No. 1.

SUPPLEMENTARY SUGGESTIONS BY MR. TIDMARSH.

CHARLOTTETOWN, P.E.I., Nov. 4, 1909.

Chairman,

Marine and Fisheries Committee,
Ottawa, Canada.

Dear SIR,—Supplementary to my evidence of last spring, I beg to submit 'Measurements of Lobsters,' made at several of the canneries, under my control, which will explain themselves.

A size limit between 8½ and 6 inches, would put every cannery in Prince Edward Island out of business.

In order to carry into effect, the present, or any other fisheries regulations that may be enacted, it will be necessary to improve the administrative force. I would suggest the abolition of the fishery wardens, and substituting a marine and fisheries police. For Prince Edward Island, two policemen for each county, in the summer, and one for the whole province in the winter, should be sufficient to effectually enforce the regulations.

These men should be selected for their efficiency, and come from points outside of the province. They should be uniformed, and clothed with the full powers given under the Fisheries Act, to Fishery Wardens.

This system of administration should be effective, and less expensive than the present system.

Yours respectfully,

(Signed) W. F. TIDMARSH.

APPENDIX No. 2.

Measurements of lobsters, Portland Packing Company's Canneries, P.E.I., 1909.

HOWARD'S COVE.

Date.	10 in. and over.	10 in. to 9½.	9½ in. to 9	9 in. to 8½.	8½ in. to 8.	8 in. to 7½.	7½ in. to 7.	7 in. to 6½.	6½ in. to 6.	6 in. to 5½.	5½ in. to 5.	Under 5 in.	Total.
May 22.....	5	7	6	4	23	13	10	7	11	4	2	.....	92
" 28.....	11	2	11	1	30	7	41	7	23	3	.....	.....	136
" 29.....	2	2	11	8	21	11	15	6	7	.....	.....	.....	93
June 2.....	23	2	16	9	23	12	25	4	11	2	.....	.....	127
" 4.....	6	5	12	7	25	23	40	32	41	3	.....	.....	194
" 7.....	7	4	12	9	31	15	22	28	11	2	.....	.....	141
" 10.....	6	6	4	9	15	13	30	14	16	4	.....	.....	117
" 11.....	4	2	4	5	9	13	25	18	16	.....	.....	.....	103
" 14.....	5	3	5	3	6	17	28	24	19	1	.....	.....	101
" 16.....	2	2	2	7	7	9	34	18	22	7	2	.....	112
" 21.....	1	3	4	4	8	8	26	24	18	6	1	.....	103
" 23.....	1	6	5	7	14	9	19	18	20	4	.....	.....	103
	73	44	92	73	212	150	325	187	215	36	5	.....	1,422

5.13 p.c.	10 in. and over.	22.85 p.c.	7½ in. to 7.
3.94 "	10 in. to 9½.	13.85 "	7 in. to 6½.
6.46 "	9½ in. to 9.	14.42 "	6½ in. to 6.
5.13 "	9 in. to 8½.	2.53 "	6 in. to 5½.
14.90 "	8½ in. to 8.	.35 "	5½ in. to 5.
10.54 "	8 in. to 7½.		
100.00 p.c.			

RUSTICO CANNERY.

Date.	10 in. and over.	10 in. to 9½.	9½ in. to 9.	9 in. to 8½.	8½ in. to 8.	8 in. to 7½.	7½ in. to 7.	7 in. to 6½.	6½ in. to 6.	6 in. to 5½.	5½ in. to 5.	Under 5 in.	Total.
May 31.....	2	.....	1	6	19	29	21	111	106	23	1	1	320
June 2.....	.....	.....	.....	4	7	33	29	96	113	3	2	4	327
" 5.....	.....	2	1	5	41	39	14	101	81	13	13	.....	210
" 8.....	1	.....	.....	3	37	16	19	98	89	28	1	3	295
" 10.....	.....	4	.....	7	43	6	14	103	93	32	2	11	315
" 12.....	1	.....	3	.....	27	11	19	93	103	40	9	1	306
" 14.....	.....	.....	1	.....	13	7	20	100	90	45	23	6	306
" 16.....	.....	.....	.....	3	7	13	19	71	83	110	77	20	403
" 18.....	.....	.....	1	4	6	12	17	63	49	93	70	37	352
" 21.....	.....	.....	.....	.....	5	17	21	33	41	34	60	19	230
" 22.....	.....	.....	.....	4	3	13	19	27	43	51	36	13	209
" 24.....	.....	.....	1	2	3	11	16	90	47	47	39	4	260
" 26.....	.....	.....	1	4	13	20	18	83	61	39	33	11	285
" 28.....	.....	.....	1	7	9	14	31	77	39	27	49	13	267
" 30.....	.....	.....	1	3	2	11	7	120	12	30	19	6	211
	4	8	11	52	235	252	284	1,266	1,050	651	434	149	4,396

.9 p.c.	10 in. and over.	6.46 p.c.	7½ in. to 7.
.19 "	10 in. to 9½.	28.70 "	7 in. to 6½.
.25 "	9½ in. to 9.	23.89 "	6½ in. to 6.
1.19 "	9 in. to 8½.	14.90 "	6 in. to 5½.
5.34 "	8½ in. to 8.	9.87 "	5½ in. to 5.
5.73 "	8 in. to 7½.	3.39 "	under 5 in.
100.00 p.c.			

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TIGNISH RUN.

Date.	10 in. and over.	10 in. to 9½.	9½ in. to 9.	9 in. to 8½.	8½ in. to 8.	8 in. to 7½.	7½ in. to 7.	7 in. to 6½.	6½ in. to 6.	6 in. to 5½.	5½ in. to 5.	Under 5 in.	Total.
May 21.....	18				84	42	90	159					393
" 27.....	14		11	19	11		23	20	31		10		128
June 2....	10				12	8	20	15	22		10		108
" 8.....	2	7		7	8		7	17	6	26	17		97
" 12.....	10	6	7	5	9		12	14	5	20			88
" 19.....	6	8	5	7	10		14	10	18	21	10		109
" 23.....	7	20		39		64		80		73			283
" 25.....	4	8	7	5	11		16	12	20	22	9		114
" 28.....	6	10	4	3		10		10	18	24	8		93
July 2....	3	12	5	4	10		18	16	20	16			104
	80	71	39	89	155	124	200	353	140	202	64		1,517

5.26 p.c.	10 in. and over.	23.26 p.c.	7 in. to 6½.
4.64 "	10 in. to 9½.	9.22 "	6½ in. to 6.
2.57 "	9½ in. to 9.	13.31 "	6 in. to 5½.
5.86 "	9 in. to 8½.	4.21 "	5½ in. to 5.
10.21 "	8½ in. to 8.		
8.28 "	8 in. to 7½.	100.00	
13.18 "	7½ in. to 7.		

CANOE COVE.

Date.	10 in. and over.	10 in. to 9½.	9½ in. to 9.	9 in. to 8½.	8½ in. to 8.	8 in. to 7½.	7½ in. to 7.	7 in. to 6½.	6½ in. to 6.	6 in. to 5½.	5½ in. to 5.	Under 5 in.	Total.
May 14.....	3	5	5	6	13	12	10	4	2	1			61
" 18.....	9	7	14	16	30	35	21	15	4				151
" 22.....		8	5	11	34	41	15	8	5	1			128
" 27.....		5	8	14	51	60	11	4					155
June 1.....			12	9	45	72	4	1					143
" 3.....	2	1	9	15	65	80	11						183
" 6.....			12	54	20	90			2				178
" 9.....			30	21	42	31	3						127
" 11.....			6	17	28	31	41	1					124
" 14.....			3	12	20	24	30	5					94
" 16.....			7	14	30	22	15		3				91
	14	26	111	189	378	498	161	38	16	2			1,433

.98 p.c.	10 in. and over.	2.63 p.c.	7 in. to 6½.
1.82 "	10 in. to 9½.	1.12 "	6½ in. to 6.
7.75 "	9½ in. to 9.	.14 "	6 in. to 5½.
13.19 "	9 in. to 8½.		
26.38 "	8½ in. to 8.	100.00	
34.76 "	8 in. to 7½.		
11.23 "	7½ in. to 7.		

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MORRISSY CANNERY.

Date.	10 in. and over.	10 in. to 9½.	9½ in. to 9.	9 in. to 8½.	8½ in. to 8.	8 in. to 7½.	7½ in. to 7.	7 in. to 6½.	6½ in. to 6.	6 in. to 5½.	5½ in. to 5.	Under 5 in.	To tal.
May 21.....	1	1	2	.....	9	.....	36	.....	44	.....	5	.....	98
" 22.....	4	.....	8	.....	17	.....	31	.....	46	.....	1	.....	107
" 28.....	6	.....	17	.....	19	.....	19	10	30	6	1	1	109
" 29.....	.....	5	.....	.....	22	.....	28	7	22	.....	3	1	88
June 2.....	4	.....	11	.....	18	.....	29	.....	22	.....	.....	.....	84
" 4.....	6	.....	9	.....	25	.....	21	25	28	2	.....	.....	116
" 7.....	2	.....	10	.....	23	.....	53	.....	26	.....	1	.....	115
" 10.....	4	3	7	.....	20	.....	46	.....	19	3	.....	.....	102
" 21.....	2	4	3	4	16	2	36	5	24	1	2	.....	99
" 24.....	.....	3	6	1	18	.....	40	.....	30	.....	3	.....	101
" 28.....	4	2	5	.....	28	3	42	.....	23	1	.....	.....	108
	33	18	78	5	215	5	381	47	314	13	16	2	1,127

2·93 p.c.	10 in. and over.	4·18 p.c.	7 in. to 6½.
1·59 "	10 in. to 9½.	27·87 "	6½ in. to 6.
6·93 "	9½ in. to 9.	1·15 "	6 in. to 5½.
·45 "	9 in. to 8½.	1·41 "	5½ in. to 5.
19·08 "	8½ in. to 8.	·17 "	under 5 in.
·44 "	8 in. to 7½.		
33·80 "	7½ in. to 7.	100·00 p.c.	

KILDARE CANNERY.

Date.	10 in. and over.	10 in. to 9½.	9½ in. to 9.	9 in. to 8½.	8½ in. to 8.	8 in. to 7½.	7½ in. to 7.	7 in. to 6½.	6½ in. to 6.	6 in. to 5½.	5½ in. to 5.	Under 5 in.	Total.
May 15.....	1	1	6	7	4	16	8	10	11	15	14	18	111
" 20.....	3	2	8	10	4	20	5	7	30	10	15	12	126
Jnne 2.....	.....	3	1	5	4	14	2	19	7	30	20	30	135
" 5.....	2	.....	3	3	8	10	8	22	30	27	18	11	142
" 7.....	4	1	3	6	5	6	25	10	20	12	4	6	102
" 14.....	2	.....	4	3	10	9	23	20	35	8	10	2	126
" 18.....	1	2	3	.....	6	8	20	15	25	72	7	2	101
" 21.....	4	.....	1	.....	4	3	28	17	58	25	7	2	149
" 26.....	1	2	5	4	7	5	26	23	53	14	6	5	131
" 30.....	1	4	2	.....	5	4	24	28	40	15	8	6	137
July 2.....	.....	.....	.....	3	.....	4	2	20	10	55	11	15	120
	19	15	36	41	57	99	171	191	299	225	120	109	1,380

1·37 p.c.	10 in. and over.	13·84 p.c.	7 in. to 6½.
1·22 "	10 in. to 9½.	21·66 "	6½ in. to 6.
2·60 "	9½ in. to 9.	16·15 "	6 in. to 5½.
2·97 "	9 in. to 8½.	8·62 "	5½ in. to 5.
4·13 "	8½ in. to 8.	7·89 "	under 5 in.
7·17 "	8 in. to 7½.		
12·38 "	7½ in. to 7.	100·00 p.c.	

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WATERFORD CANNERY.

Date.	10 in. and over.	10 in. to 9½.	9½ in. to 9.	9 in. to 8½.	8½ in. to 8.	8 in. to 7½.	7½ in. to 7.	7 in. to 6½.	6½ in. to 6.	6 in. to 5½.	5½ in. to 5.	Under 5 in.	Total.
May 1 ^o	2	1	5	3	13	6	18	31	36	13	11	19	158
" 26.	5	9	7	10	12	16	30	52	77	36	40	45	339
" 27.	2	4	3	5	9	5	16	27	40	11	9	17	148
" 29.	3	4	5	7	10	9	15	30	37	20	14	14	168
June 4.		2	3	4	8	15	15	46	39	19	8	7	166
" 5.	1		2	2	2	8	12	24	38	18	7		114
" 11.	1	2	1	1	1	1	12	22	61	25	10	1	138
" 21.	1	1	5	2	3	6	15	41	63	12	1		150
" 30.					4	3	3	12	54	27	4	1	108
	15	23	31	34	62	69	136	285	445	181	104	104	1,489

1.05 p.c.	10 in. and over.	29.88 p.c.	6½ in. to 6.
1.54 "	10 in. to 9½.	12.15 "	6 in. to 5½.
2.08 "	9½ in. to 9.	6.98 "	5½ in. to 5.
2.28 "	9 in. to 8½.	6.98 "	under 5.
4.16 "	8½ in. to 8.		
4.63 "	8 in. to 7½.	100.00 "	
9.13 "	7½ in. to 7.		
19.14 "	7 in. to 6½.		

MIMINEGASH CANNERY.

Date.	10 in. and over.	10 in. to 9½.	9½ in. to 9.	9 in. to 8½.	8½ in. to 8.	8 in. to 7½.	7½ in. to 7.	7 in. to 6½.	6½ in. to 6.	6 in. to 5½.	5½ in. to 5.	Under 5 in.	Total.
May 26.		4	4	19		31	7	31	14	40			150
" 28.				6	11		30	39	29		39		154
" 31.		5		7	24			40		58	16		150
June 2.				28	25			32		51	40		200
" 5.		3		8	32	24		21		37	34		135
" 9.	4	14		10	6			33		57	39		200
" 15.				18	17	37		52		105		79	285
" 21.	13	21		20	20	14		89		70		24	300
" 26.		19		21		43		103		186			372
" 28.	4	5		14	50	84		111		49			317
" 30.	2	1		8	3	27		61		63	22		187
July 3.	8	18		19	34	50		50		34	37		250
" 6.		10		14	17	43		92		74			250
" 7.	10	18		25	24	56		112		128	46		419
" 10.	6	12		18	25	116		133		108			418
	47	130	4	235	288	568	37	999	43	1060	273	103	3,787

1.25 p.c.	10 in. and over.	1.14 p.c.	6½ in. to 6.
3.44 "	10 in. to 9½.	27.99 "	6 in. to 5½.
1.10 "	9½ in. to 9.	7.21 "	5½ in. to 5.
6.20 "	9 in. to 8½.	2.72 "	under 5.
7.60 "	8½ in. to 8.		
14.99 "	8 in. to 7½.	100.00 "	
1.98 "	7½ in. to 7.		
26.38 "	7 in. to 6½.		

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SUMMARY OF MEASUREMENTS, OF LOBSTERS, AS UNDERNOTED.

Date.	10 in. and over.	10 in. to 9½.	9½ in. to 9.	9 in. to 8½ in.	8½ in. to 8.	8 in. to 7½.	7½ in. to 7.	7 in. to 6½.	6½ in. to 6.	6 in. to 5½.	5½ in. to 5.	Under 5 in.	Total.
Canoe cove ..	14	26	111	189	378	498	161	38	16	2	...	.....	1433
Howard's Cove..	73	44	92	73	212	150	325	187	215	36	5	....	1422
Morrissy Cann..	33	18	78	5	215	5	381	47	314	13	16	2	1127
Rustico	4	8	11	52	235	252	284	1266	1050	651	434	149	4396
Miminegash ..	47	130	4	235	288	568	37	999	43	1060	273	103	3787
Tignish run ..	80	71	39	89	155	124	200	353	140	202	64	...	1517
Kildare	19	15	36	41	57	99	171	191	299	223	120	109	1380
Waterford ...	15	23	31	34	62	69	136	285	445	181	104	104	1489
	285	335	402	718	1,602	1,765	1,695	3,366	2,522	2,368	1,016	467	16551

1·72 p.c.	10 in. and over.	15·23 p.c.	6½ in. to 6.
2·03 "	10 in. to 9½.	14·30 "	6 in. to 6½.
2·42 "	9½ in. to 9.	6·13 "	5½ in. to 5.
4·34 "	9 in. to 8½.	2·92 "	under 5.
9·68 "	8½ in. to 8.		
10·66 "	8 in. to 7½.	100·00 "	
10·24 "	7½ in. to 7.		
20·33 "	7 in. to 6½.		

(Signed) W. F. TIDMARSH

NOVA SCOTIA.

RIVER JOHN, August 7, 1909.

C. H. McLENNAN, packer, River John, called and sworn:

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. Since 1905. Four years.

Q. Your experience in connection with the industry goes back further than that does it not?—A. Yes.

Q. How far back?—A. Personally to 1895.

Q. What number of canneries do you control?—A. One.

Q. Where is it situated?—A. Cape John.

Q. What number of boats do you employ?—A. I had 30 boats this year.

Q. Were you fishing your own boats?—A. About half our own gear and traps; the other half the fishermen owned their own gear and traps and boats.

Q. What was your pack this year?—A. 951 cases.

Q. How does that compare with last year and the year before?—A. It is a little better this year.

Q. What was the best pack you ever made?—A. This was the best pack.

Q. Where do your boats fish?—A. Off the ledges.

Q. That is the Amet ledges?—A. Yes.

Q. In what depth of water mostly?—A. I suppose three or four fathoms.

Q. That would not be far off shore?—A. Not far off shore.

Q. What time does the fishery begin here with you?—A. 20th April.

Q. That is the opening of the season?—A. We don't get any lobsters until May.

Q. What is the closing time here?—A. 10th of July.

Q. Are you delayed by ice at all in the spring?—A. Yes, sometimes we are. We have got to be very careful and use ice boats some time.

Q. Still usually your fishery begins about the 1st of May?—A. About the 1st of May.

Q. Do the boats fish in the same water all through the season?—A. No, as the season advances they come into shallower water.

Q. About how shoal?—A. I don't know just exactly.

Q. How do you find the fishery to-day; how does it compare with the fishery when your experience first began?—A. Well for the last four years I do not see much difference.

Q. Is the run of lobsters as large as when you began?—A. I think so.

Q. Your size limit here is 8 inches?—A. Yes, sir.

Q. Do you live up to that regulation?—A. No.

Q. What proportion of your fish would be below the legal size limit?—A. Quite a proportion, I would not like to say exactly.

Q. The lobsters have been measured this year have they not?—A. Yes.

Q. So I suppose there will be some statistics that will contain that information?—A. There should be.

Q. Is the proportion of small lobsters larger now than it was when you first began to pack?—A. Oh, I think it is.

Q. The lobsters have decreased in size?—A. Not the last four years I don't think they have.

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Q. I suppose the eggs from the berried lobster are preserved for the hatchery are they not?—A. No, not from our factory.

Q. Does not the boat from the hatchery come here?—A. Very seldom.

Q. What is your practice with regard to berried lobsters, are they returned to the water or are they canned?—A. Canned.

Q. Has that always been the case?—A. Yes.

Q. Is there any more attempt being made now to protect or save the berried lobster than there used to be?—A. No.

Q. Do they ever come this far with their collecting boat from the hatchery at Caribou?—A. I think Burnham and Morrill have taken them.

Q. It has been the practice then for the canneries generally to take everything that was brought to them?—A. Everything that was brought to them.

Q. Without regard to size limit or whether the lobsters were berried or not; has any attempt ever been made to induce the fishermen to return the berried lobsters to the water?—A. No.

Q. Supposing you refused to accept the berried lobsters what would happen?—A. That is a pretty hard thing to get at about the berried lobsters. I think perhaps they would have to brush them off in the boat.

Q. At some places they have told us the fishermen brush the berries off, at other places they have said that if one canner did not take them the fishermen would bring the berried lobsters to another packer who was less scrupulous?—A. Yes, they might do that.

Q. We hear from some canners that they are obliged to take berried lobsters in order to retain their fishermen; what would you say?—A. Could not the Government pass a law to stop that in some way?

Q. At present it is illegal to do it.—A. Then enforce the law.

Q. Has any attempt been made to enforce the law?—A. No.

Q. Have you ever known of anybody being fined for violating the law?—A. I don't know of any.

Q. Of the total number of lobsters brought to the cannery, what proportion would be females with eggs extruded?—A. I cannot tell you that, I don't know.

Q. Do you know what kind of lobsters they generally are, are they good sized lobsters or small?—A. There are not many berries on a 7-inch lobster.

Q. Did you ever see a 7-inch lobster with berries?—A. Yes, a few.

Q. What is the smallest lobster you have ever seen with berries on her?—A. Seven inches.

Q. Is there any particular part of the season when you would expect to meet with more berried lobsters than in others?—A. The latter part of the season.

Q. Is the practice of stripping or washing off the eggs followed here by the fishermen to your knowledge?—A. They don't require to do that.

Q. Do you think it would be possible to induce the fishermen to return to the water the berried lobsters they take; the percentage of these lobsters is so very small it should not make a great difference in a man's catch?—A. They should not take them.

Q. How can we go to work to persuade the fishermen to protect the berried lobster?—A. They should know better themselves.

Q. Where does the trouble lie, with the packer who takes them or with the fisherman who catches them?—A. With both.

Q. Would it be a simple matter to return the berried lobsters to the water when the fishermen are taking them out of the traps; is that the right time to cull the lobsters?—A. Yes.

Q. Can you tell me how many lobsters it takes in your cannery to fill a pound can, what your average is?—A. Four and a half to five lobsters.

Q. Do you remember what the average was when you began?—A. I think it is about the same for the last four years.

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Q. You are only speaking for a short time?—A. I am only speaking for McLennan and Redmond.

Q. During that time did you not find much decrease?—A. No.

Q. To what do you attribute the decrease in the size of the lobsters; there is undoubtedly a decrease from old times, is there not?—A. Not within the last four years we packed I think.

Q. Still your recollection of the conditions of the lobster fishery will go back further than four years?—A. Yes.

Q. Have you any idea when the fishery was first established here?—A. A good many years ago, I could not tell you the exact date.

Q. Who first began it?—A. A man by the name of Shad.

Q. Was he a Canadian or an American?—A. An American I think.

Q. What style of trap is used by the fishermen here today?—A. Just the common trap.

Q. The common double ender?—A. The double ender. Then there is three.

Q. Are they very largely used?—A. They are coming into greater use.

Q. What is the particular merit they have over the other trap?—A. They claim they get more lobsters.

Q. That is they hold more lobsters?—A. Hold more lobsters.

Q. And what is the space left between the slats?—A. I don't know exactly.

Q. Well the reason why this new trap is coming into use is because it is more killing?—A. Yes.

It holds more lobsters and is rigged so as to retain the small ones is it not?—A. Yes.

Q. What is the smallest sized lobster you will can?—A. Everything we get.

Q. Down to two or three inches?—A. Well we take everything the fishermen bring in.

Q. Do you think that is a right condition of affairs; what must be the ultimate result if that goes on and the immature fish are destroyed wholesale?—A. My idea would be to take everything and make the season a little shorter.

Q. Do you not think that some provision could be made for allowing a wider space between the slats of the trap so that the very small lobsters could get out?—A. I don't know, I am sure, how that would work. I think the traps are about right now.

Q. Then you would justify the taking of these immature lobsters?—A. Yes. Make the season a little shorter and take everything.

Q. How much shorter?—A. Begin the 1st of May and end the last of June.

Q. And how about the berried lobster, would you continue to pack that, too?—A. No, not if we can help it.

Q. Who does it rest with to take care of the berried lobster?—A. Perhaps with the government. It would be a good thing for them to send a man down to lecture to the fishermen.

Q. And to the canners?—A. The canners could come too I suppose.

Q. And do you think that would have any effect? I should think that any intelligent person would understand already that you cannot go on destroying the immature and the breeding fish without producing ruin in the long run.—A. It is very wrong to take the berried lobsters, there is no question about that.

Q. It has been suggested that it would be wise to do as the Agriculture Department does in the case of the farming population, send some one down to explain to the fishermen the necessity for carrying out protective measures; do you think that would have much effect with the fishermen?—A. I think it would have some.

Q. Various remedies are suggested for the present condition of affairs. Some people suggest closing down altogether for a term of years; how would that appeal to you?—A. That would not appeal to me.

Q. What would be liable to happen in that case?—A. Oh, well, I don't think there is any need of it just now because the lobster fishing is good.

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Q. The Lobster Commission of 1898 recommended establishing temporary reserves in various sections along the coast where fishing should not be allowed for a couple of years, the location of such reserves to be changed from time to time; what do you think of that?—A. Oh I think we had better go along as we are going.

Q. What is the most active period of the fishery with you?—A. The month of May.

Q. You get a better run of fish in May than you do later?—A. Yes.

Q. The average would be larger?—A. Yes.

Q. Now, as to the opening season, do you favour the present date, 20th April, or would you advance or shorten it?—A. I would shorten it to the 1st of May.

Q. What is the particular reason for shortening it to the 1st of May?—A. Well we would not catch so many small lobsters for one thing.

Q. You do not catch the small lobsters in the opening of the season do you?—A. No, we do not.

Q. You say you would not begin so early because then you would not get so many small lobsters?—A. I would propose closing the last of June and beginning the 1st of May.

Q. Why would you cut off the ten days in April?—A. It is too early for several reasons. The fishermen come here too early from other parts, and sometimes we don't get our lines run until late you know.

Q. That is for reasons peculiar to the canning industry, not anything connected with the lobster?—A. No.

Q. On the other hand it has been suggested to shorten the season up to the 1st of July—some have even gone so far as to say the 30th of June, some packers we have met—do away with the size limit, and provide for some alteration in the trap whereby the smaller run of lobsters may escape; what do you think of that?—A. I don't know I am sure what to think of it.

Q. Does the present regulation restricting the number of canning licenses satisfy you?—A. No, I would favour giving more licenses.

Q. You would be in favour of giving any man a license to pack who shows his ability or fitness to do so?—A. Yes.

Q. Would you be in favour of limiting the amount of gear fished under any license?—A. No.

Q. Does it not seem odd to limit the number of licenses and not limit the amount of gear fished?—A. Yes, it does.

Q. Do you think the product of the canneries should be inspected?—A. Well, it is inspected by the buyer.

Q. But I mean an official government inspection?—A. I don't think so.

Q. Other food products are inspected nowadays, why should the lobster escape?—A. Well, canned lobster is inspected, there is a pretty rigid inspection, I think.

Q. But not an official inspection, it is only by the buyer?—A. That is all.

Q. Do you think it would be possible or right to establish a standard of fitness for the canneries, to insist upon certain conditions in the canneries?—A. What do you mean?

Q. See that the tables are made in a certain way, covered with a certain material.—A. Covered with zinc?

Q. Is zinc the best thing for that purpose?—A. I think so.

Q. It has been suggested to have marble or plate glass.—A. Would that be better? I don't know that.

Q. How about the matter of issuing canning licenses to aliens, would you approve of that?—A. It is better to have them for our own people.

Q. How is the price paid to fishermen for lobsters arranged?—A. The price has been about the same from year to year.

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Q. Is the price as high this year as it was last?—A. Well, this year the price for canned lobsters was lower you know, and of course we had to reduce the price to the fishermen a little.

Q. What are the fishermen who fish in your boats paid here?—A. \$1.25 with our own gear.

Q. That is per hundred weight?—A. Yes.

Q. And in the case of those that fish their own gear?—A. Well, a little more.

Q. Do you think the price is a fair one to the fishermen; some of course have complained they are not getting enough?—A. Yes, we know that.

Q. What do you think of the policy of encouraging the fishermen to co-operate in canning?—A. Well, they have that in their own hands.

Q. What is wanted is advice on the subject, whether it is a wise policy to encourage the fishermen to co-operate in canning? Is it to your knowledge that fishermen have lost their catch of lobsters by the canners refusing to accept them?—A. I don't know of any case.

Q. It is alleged that in some cases fishermen have suffered injury by the failure of canners to operate their canneries, although a sufficient supply of lobsters was available; do you know of a case of that kind?—A. No.

Q. If the canneries were closed would the fishermen find any other market for lobsters?—A. I don't think so.

Q. Has the live lobster business ever been attempted here?—A. No.

Q. I suppose the run of lobsters is rather small for such a business just now?—A. Small enough.

Q. And do the facilities exist for transporting live lobsters rapidly and safely to market?—A. Well near Halifax they transport them or take them alive to Boston.

Q. Which branch of the lobster industry do you think is the most remunerative to the fishermen, the shipping of live lobsters or the sale of them to the canneries?—A. I don't know anything about the live lobster market.

Q. As to the matter of hatcheries, have you had any experience of the effect of their operation; do you derive any benefit from the hatchery below you?—A. Not very much. I think we should have a hatchery at the Cape here. It is about 24 miles, I understand, from here to Caribou hatchery, and there is quite a number of canneries here.

Q. Then you think the number of hatcheries should be increased?—A. Yes.

Q. The establishment of pounds has been suggested as an alternative to hatcheries?—A. I don't know anything about them.

Q. Are there any facilities in this neighbourhood for building pounds?—A. I think the hatchery would be best.

Q. As a packer, would you be prepared to pay an increased fee with a view of raising a fund for the purchase of berried lobsters, whether they are returned to the water or not?—A. No, I would not.

Q. The policy contemplated by the regulations is taking the large lobster and permitting the small one to escape; is there any kind of traps better adapted for that purpose than another?—A. I think the trap we have is all right.

Q. Is there any fishing done here after the close of the season?—A. Not that I know of.

Q. Lobsters are not being packed illegally in that respect?—A. Not that I know of.

Q. Is it the practice here at the close of the season to abandon gear in the water?—A. No.

Q. What do you think about the present method of stamping the cases; is there any advantage in doing it, is it properly done?—A. I think it is properly done all right. We send for the inspector and he comes down and gives them to us.

Q. Does he leave the label with you or see it put on?—A. Sometimes, yes.

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Q. I do not know that there is anything else particularly that I want to ask you. Have you any suggestion to make yourself?—A. My own suggestion is about shortening the season and not taking the berried lobsters. That is a hard question about the berried lobsters, to know what to do exactly.

Q. What makes it hard particularly?—A. Well, the law is not enforced now.

Q. Would it be possible to enforce the law?—A. I don't know.

Q. Are the present penalties sufficient, if they were enforced, to compel the packers to refuse to accept berried lobsters?—A. Yes, I think so.

Witness discharged.

ARCHIBALD MACKENZIE, packer, River John.—I approve of the season, one end, and the doing away with taking the berried lobsters.

The COMMISSIONER.—The percentage is not very large, is it?

Mr. MACKENZIE.—It is very small and getting smaller. This year it is very much smaller. Of course we are not packing as late and if you cut the season down to the last of June there would be less.

The COMMISSIONER.—You think that by cutting down the season you would save the berried lobster?

Mr. MACKENZIE.—Yes, an awful lot of berried lobsters.

The COMMISSIONER.—How about the matter of the trap, do you not think something could be done?

Mr. MACKENZIE.—The principal object of what we call the bedroom trap is that when there are storms the fish do not get out.

The COMMISSIONER.—In the early days of the fishery—my own connection with it goes back 33 years—we used an old fashioned trap with nearly an inch and a half space between the slats. That is the trap we had along the Gulf, Anticosti, Baie des Chaleurs and the Magdalen islands.

Mr. MACKENZIE.—How did it work?

The COMMISSIONER.—It worked all right.

Mr. MACKENZIE.—There are in some sections very small lobsters. We don't have them at the back of the Cape. Of course there have been measurements taken that will give you the exact data as to the size of the lobsters caught.

The COMMISSIONER.—There is a larger percentage of small lobsters than you would think.

Mr. MACKENZIE.—In some particular places.

The COMMISSIONER.—Do you not think that slats only half an inch apart are a little too close?

Mr. MACKENZIE. The space can be regulated to let certain sized lobsters out. I don't know how that would work. I know it was talked of but never enforced.

The COMMISSIONER. Do you think it is wise or right to continue taking very small lobsters?

Mr. MACKENZIE. I think not, because I don't think they are profitable. I don't think these small lobsters should be taken.

SESSIONAL PAPER No. 22a

JAMES D. LANGILLE, fisherman, Brule Shore, called and sworn:—

By the Commissioner:

Q. Where do you fish?—A. I have been fishing at Cape John for a number of years.

Q. What cannery do you supply with fish?—A. This last season I fished for Mr. McLennan.

Q. How long have you been engaged in fishing?—A. Twenty-five seasons.

Q. Straight along?—A. During that time there was six seasons I think that I did not fish.

Q. Have you always fished in the same neighbourhood?—A. No.

Q. Where else have you fished?—A. I have fished off of Cumberland County. I fished inside.

Q. But always along the shore?—A. Always along the shore, within a radius of 20 miles.

Q. Do you own your own boat and gear?—A. I have for a number of years.

Q. What number of traps do you fish?—A. Well I suppose when I tell you you will think I am pretty lazy. I never fish very big gear. This year I fished 161 traps as near as I can recollect.

Q. Have you fished alone?—A. I fish alone always, or practically alone. There might sometimes be a fellow come out with me. I have fished as high as 200 traps but very seldom.

Q. We hear of some people fishing 400 traps but they cannot be fishing very thoroughly. About what season do you begin fishing?—A. Some seasons I am late in getting started. We generally get lobsters about the 1st of May.

Q. In what depth of water do you begin your fishing generally?—A. We have always fished in pretty deep water, from five to ten fathoms.

Q. How far off shore will that take you?—A. Well, in some places you get the water deep close in. I have generally fished outside of other gear. This last season I fished in six fathoms of water off Brule shore. The rest of the gear was all inside.

Q. Is it your experience that you get a better run of fish by confining yourself to the deeper water?—A. It is my experience you get a larger run of fish.

Q. Do you fish in the same depth of water throughout the whole season?—A. I generally fish into shallow water.

Q. About what time do you shift in?—A. Oh, well, different seasons, when the lobsters shift. If it is a cold late spring the lobsters stay out in deep water. If it gets hot and it is an early season they generally go into shallow water.

Q. And practically you follow the lobsters?—A. We try to follow the lobsters.

Q. On what bottom do you fish or prefer to fish?—A. Hard bottom.

Q. Do you get a better run of lobsters as a rule on hard bottom than on sandy bottom?—A. You get no lobsters on sandy bottom here or practically none.

Q. What is the least depth of water some fish in here to your knowledge?—A. Into a fathom of water. But when I say a fathom of water that is at low tide. I have fished in a fathom of water at low tide some years.

Q. What sort of fish do you expect to get in that very shallow water?—A. Sometimes the lobsters come right in on the shore, good fish.

Q. What proportion of your catch would be below the size limit of 8 inches?—A. That is a pretty hard question to answer.

Q. We do not expect to have that given absolutely; would there be a considerable or only a small proportion?—A. Taking the season through there would be over half below eight inches.

Q. Would you expect to get a larger proportion of large lobsters in shallow water than when you first began to fish outside?—A. You will get the big lobsters in the

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spring. It appears that when lobsters are plentiful the big ones drive the small ones out of the traps or away from the traps and as you get the big lobsters caught up the little ones take their place.

Q. What proportion of berried lobsters do you think you take in your traps; how many out of every hundred or every thousand would be berried lobsters?—A. Well I fish at the Cape and taking the whole season I don't think there would be five per cent.

Q. That would be a pretty large average?—A. There would not, I think, be five per cent.

Q. They get a larger run of berried lobsters in some places than in others; they make for certain points?—A. If you set your traps on some ground you will get one-third seed lobsters in a certain time of the year. Of course, in the spring you don't find very many seed lobsters, but later on towards the last of June you will get them then. It seems the other lobsters get ready to shell quicker than the berried lobsters, and consequently you get more of the latter kind. The others are getting ready to shell or are too much fed up and won't trap.

Q. Later in the season and in shoal water you would you would expect to get a larger percentage of berried lobsters than you would outside and early in the season?—A. Late in the season and in shoal water. But you get the berried lobsters in deep water the same as in shallow water. These lobsters appear to go into shallow waater to get ready to shell and as the berried lobsters do not shell as early as the other kind they do not appear to go into shallow water so soon as the others.

Q. Later in the season you get a larger percentge of berried lobsters, you get more in June than in May?—A. Certainly you will, a great deal more.

Q. Is there any fishermen's union in this neighbourhood?—A. Not any.

Q. Has it been the custom here to take to the canner everything you caught practically?—A. Yes.

Q. They do not reject anything?—A. Until this summer. I guess it is like everything else. Some will throw their berried lobsters away and others will wash them off and you might just as well take them in as wash them off. If a man gets a berried lobster in his trap he is very apt to take it if selling by weight or count, for a lobster is a lobster, if he could get clear of it all right. It seems they all get rid of them.

Q. Does it not seem a pity?—A. It certainly is a pity, and it should be stopped.

Q. Could it be stopped by a strict enforcement of the regulation?—A. That is a big question. There are people that would throw berried lobsters away. I would be perfectly satisfied myself to throw them away, but it is very hard for one or two men to throw the spawn lobsters away and for men alongside of you to take them and get their money for them after you have had them in your own hands.

Q. Do you think the fishermen would resort to the practice of brushing the berries off the female lobster, as they do in a great many places, if an attempt were made to enforce the regulation?—A. There are a number of them would do that as they do it now. They have been in the habit of doing it. They did it on the south shore and they will do it here.

Q. As to the matter of the trap, do you fish the new trap?—A. I fish I think all the different traps that are made.

Q. What is the advantage of the new trap over the old one?—A. Well I think there is a big advantage as they hold the lobsters you get, you get the biggest percentage of them. You take the two headed trap, the old trap that we used to fish, even ten years ago the old trap was in vogue then altogether.

Q. In some places it is entirely in vogue yet, they have not adopted the new trap.—A. It is no use for you to set old traps alongside of the latest traps. In the early spring when the lobsters trap well you would get a fair percentage but they would not begin to come up to the catch made by the latest trap.

Q. What is the space you leave between the slats in your trap?—A. Seven eighths of an inch, that is almost an inch. Some probably have an inch or a little more but

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we allow to a lath seven eighths of an inch as the sills of the traps they are built on is seven eighths of an inch thick generally but sometimes a little thinner. If you get them milled they will be seven-eighths of an inch, that is the way they are milled, and sometimes you have to nail them that way at the bottom as the lobsters generally crawl below.

Q. What sized mesh do you leave at the end; what is the size of the ring?—A. About four and a half inches.

Q. I mean the mesh at the other end of the trap, the closed end?—A. Most of us will lath that up too.

Q. In most places that is a netted end?—A. That is more expensive and with a fellow finding his own gear it takes little more labour to have those ends nailed up with a lath than if they were netted in.

Q. A great many people have told us there is more to be gained by leaving a large mesh in the end than by leaving a space between the slats?—A. A small lobster will go out through a wonderfully small hole. You often see lobsters go out through the mesh.

Q. Do you think there is anything in that matter of enlarging the space between the slats?—A. Yes, there is to the fishermen.

Q. Do you think half an inch space is too close?—A. I don't think you can find traps in this vicinity with half an inch space. A trap that is lathed too close won't fish alongside of a trap that is lathed right. I don't believe an inch is any too far apart.

Q. Do you believe in having the inch space through the lower slats or should it be all over the trap?—A. It would not make any difference. I would sooner have my traps lathed an inch apart than half an inch as regards fishing.

Q. Do you think an inch space would be a fair space to insist on with a view of protecting the small lobster in so far as possible?—A. I cannot see that it would be very much benefit without those slats were an inch thick. Then it would be quite an item for all those traps to be made over again. That would be almost an impossibility.

Q. I do not know that would be possible. What is the life of a trap?—A. The life of a trap is six years.

We generally understand the life of a trap is about three years?—A. Well, that is made with iron nails and generally made by jobbers or fishermen who work one year in one factory and another year go to another factory.

Q. What percentage of loss do you meet with from storms and ice?—A. Sometimes there is considerable ice. If you go into two or three fathoms of water you may lose a few and get some smashed up, but in five fathoms to deeper water you never lose traps. They may get worn a little.

Q. As to the matter of price, do you think there is any combination to keep down the price paid for lobsters to the fishermen?—A. There likely is by some of the canners.

Q. Do you think the fishermen generally are satisfied with the share they receive of the profit?—A. That is another hard question. It is pretty hard to satisfy any man.

Q. We have heard of complaints continually made about these matters, that is why the questions are asked?—A. There is one thing we do see. The canners will pack a few years and they get very well off on packing lobsters, but you cannot find a fisherman that is well off by fishing lobsters and selling them.

Q. Do you think the fishermen would make more money if they were allowed to pack for themselves?—A. Certainly they would. This ought to be a free country and a fisherman ought to be allowed to pack his lobsters or sell them if he wanted to.

Q. How does the price you receive now compare with what you received in the past?—A. The price this last season was smaller compared with what it was some years ago, but just as good as two years ago. Before that it was smaller.

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Q. There was a reason for the smaller price paid this year?—A. As far as I know there was, certainly.

Q. Have the regulations ever been observed in this district; that is, confining the fishery to an 8-inch limit, protecting the berried lobster and closing the season sharp on time?—A. No, it has not by any means. We have parties, not just in this district here, not in Pictou county, but in Cumberland county, that fish two, three and four days over the time every year. They catch those newly shelled lobsters and boil them. A man will get six times as many lobsters, perhaps ten times as many, in the last days as in the ten preceding days.

Q. Where are those lobsters canned?—A. Saddle island. There is a shop run there—Burnham & Morrill's shop.

Q. What is the smallest sized female lobster carrying eggs that you ever saw; did you ever remark?—A. I have noted them down to 7 inches, but not very many.

Q. Where count has been kept of the thing accurately it is said that not one lobster in a hundred thousand seven inches in size carries eggs?—A. I have seen lots of them at 8 inches and 9½ inch lobsters I have seen berries on. When they get very large you will see them with the spawn on. I have not seen very many of them.

Q. In the early part of the season the lobsters are not as full as they are later?—A. They are fuller I would say about the 1st to the last of June.

Q. If the canner refused to accept berried lobsters what would become of them?—A. The majority of the fishermen would have to wash the berries off. The canner would have to take the lobsters then because they could not tell them from any other lobster.

Q. Is it difficult to tell the lobster that has had the berries rubbed off?—A. Well, I guess so. It is just that difficult that I don't know how a man would detect it if there were not any berries on them. It is very little that the berries cling to, it is the slightest thing that the berries are on. If that is washed off how could you detect it? You could not tell.

Q. They are very seldom washed if the canner takes everything that is brought to him?—A. Generally they don't have to do that.

Q. As a means of regulating the fishery some people have suggested that the fishermen should be licensed, the fee, of course, would only be a nominal one; what would you think of licensing the fishermen with a view of controlling the fishery in that way?—A. I don't see that it would be any good. I suppose it would take a few dollars out of the fishermen, and they would have to swipe a few more spawn lobsters to make up that money.

Q. I do not think it would be a matter of dollars, it would not do to impose a heavy fee, but only a nominal one. That idea was suggested to the Parliamentary Committee last session, the impression being that a man feeling himself a licensed fisherman would be more apt to observe the law, and perhaps inform on others who did not; do you think it would have any effect upon the fishermen?—A. The fishermen are like any other men. It is very hard for a man who is doing the thing himself to inform on any other man.

Q. The fisherman would be licensed, and if caught taking berried lobsters would lose his license and be prevented from fishing in the future?—A. That would not be right to prevent him fishing lobsters.

Q. Not if he violated the law?—A. Why not fine him. They do not take the license away from those shops that can berried lobsters and all kinds of lobsters, they simply fine them.

Q. They have not done that. Perhaps if the law were carried out strictly it might have the desired effect?—A. Then, that would be up against the fishermen again, the fishermen would have no place to take their lobsters and the lobsters would be no good to anybody. They should fine them all. They should not stop at one, but fine them all. Then when they had done that the whole thing would be shut down. If you shut

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down the factory for taking lobsters they have no right to take, and the fishermen as well, there would be no lobsters taken.

Q. Would you have things go on as they are?—A. No, I would not. There ought to be something done about these berried lobsters.

Q. How would you propose to do it, buy the berried lobsters from the fishermen?—A. That would be one of the ways to do it. But it looks like a big thing; I don't know that it would be.

Q. It looks like paying men to observe the law?—A. There are lots that are paid to observe the law, and then don't do it.

Q. In what way?—A. I could tell you numerous ways, it is not necessary here.

Q. So you would not have much faith in the licensing system as regards the fishermen?—A. I would not have much faith in the licensing system.

Q. Who are the majority of those who fish lobsters, are they genuine fishermen or are they men who, when the lobster fishery is over, carry on farming?—A. They are men that are farming and have got to fish to help along and make a living. I think likely these packers will tell you the best fishermen they have belong here too. It is the money they are after, not just the lobsters.

Q. What do you think of the present method of issuing licenses to can?—A. My idea of issuing licenses is that any man who can put up a shop ought to get a license, provided he obeyed the law. Then if he could not run his shop, let it go down; he would be that much out of pocket, and have that much experience.

Q. Do you not think we would have a right to expect him to put up a cannery that should be up to a certain standard?—A. That would not be asking for much if you took the other factories as a standard.

Q. The standard should be the same for everybody?—A. If you took all the factories into consideration it would not be much of a standard you would need to have.

Q. Do you know anything about the live lobster trade?—A. We have never had anything to do with the live lobster trade here. We have not got good railroad connections.

Q. Where they have the necessary facilities do you think it is a more profitable branch of the industry for the fishermen?—A. It certainly is, there can be no question about it.

Q. Who fixes the price paid for lobsters?—A. The packers. To a certain extent, of course, when there is a lot of packers after a man he can bid one up against the other and maybe get a rise.

Q. Then there is some give and take in the matter?—A. Yes, but generally the packers say they can give so much and that settles it all. You cannot pack them yourself and you have got to sell your lobsters or not catch them.

Q. Is it a cash business generally?—A. Yes.

Q. Are the fishermen in the habit of getting advances from the canner?—A. Lots of fishermen get advances I guess, but it is considered cash anyway. They are considered good for cash at any time.

Q. What would you think of doing away with the size limit altogether, it seems to be a difficult one to enforce—A. I guess it is.

Q. But insist on a moderate space between the slats in the trap, say an inch as you suggest?—A. Well, I would not have much fault to find with that, but if you commence right now it would undoubtedly entail quite a lot upon packers who own their own gear—to shift one lath or two laths on a trap would make it all right.

Q. And then in addition to what has been already mentioned shorten the season to the 1st of July or the last day of June; how would that affect you?—A. As far as I can see I think likely it would be just as well. From the last of June until the 7th of July, there is practically nothing done fishing lobsters. Then there are three or four days we get the new shelled lobsters and a lot of work of the hardest kind is entailed. A man has got to shift into soft bottom to get these new shelled lobsters and

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get up into the bays and creeks. For instance, he would have to go right up into the mouth of this river to catch the first of them.

Q. Do you think that fishing in bays and creeks should be continued or should it be confined to a certain depth of water outside?—A. I don't see how you could do anything like that.

Q. Some people have argued that fishing of that kind should be prohibited?—A. If there could be a certain place left off for a spawning ground, but you could not do that. You would have to have a cutter with guns lying off to keep the men away because certainly that would be the place for lobsters.

Q. Do you not think an unfair proportion of spawning lobsters is taken under these conditions?—A. At the present time?

Q. Yes.—A. Why there certainly is.

Q. I do not think there is anything else I wish to ask you?—A. How would it be if I were to make some propositions?

Q. You are at perfect liberty to do so; that is what we want?—A. I believe the fishermen ought to be compelled to put up a buoy that would be at least three feet above water to mark their gear, and they should not have trawls more than three coils of rope, that is 120 fathoms in a coil.

Q. How many traps would that represent?—A. It would be according to the water. If you were fishing in shoal water you could not have your traps as far apart, and the thing to consider is the depth of water. If in ten fathoms of water it would mean less on the same line. In shallow water it would mean much closer. There are fellows that go out in the spring and run their lines with any kind of buoys. Another man would come along afterwards and those buoys would be probably under water or only 6 inches above and hardly showing; you could not tell anything about them and the tide is running to the eastward. When the first fellow ran his line the tide was fast running northeast, setting off shore. The next fellow will run his lines over those of the other man. What is the consequence? It is a lot of labour, your lines are cut and it makes bad work. Then again a man will string his lines in such a way that you cannot see from one end or the other. Two or three men will run out there, before daylight, and put their traps down and all run over each other. There are no buoys to be seen, and the lines are so long that you cannot see to the other end of them to find out from their buoys how they are running.

Q. Do you think it is necessary to fix a date for the opening of the season? Does not nature provide an opening date? Why might it not be as well the 1st of January as the 1st of May?—A. I don't see why it might not. It does not make any difference here as far as that goes, there are men running before the time. If one man breaks the law, or 20 or 30, it does not make any difference that I can see. Last spring there was a number of fishermen running before the time. They had their gear nicely set and they were all ready when the fishing commenced, and the fellows who came afterwards had to take what was left.

Q. Do you think the amount of gear fished by a cannery should be limited?—A. A man getting a license for a factory can run three, or four or five hundred boats if he wanted to. But what about the man who cannot get one? I believe a man ought to be able to run what he decently can so long as he could get them. It ought to be a free country and a man, so long as he observes the law, ought to be able to do so as to suit himself.

Q. Do you think the amount of gear fished by a boat should be limited? There are boats fishing 500 traps?—A. I would not just like to say. I believe 200 traps is enough for any man. There is something of a hog about a man who wants to fish 500 traps. He will probably haul 200 traps a day and 200 to-morrow, and he has three or four hauls out of each trap. He might as well have 3 boats fishing those 500 traps as one. That is the difference; he is taking up the ground from somebody else. I have known some fellows take up ground and never put a trap in. The other fellow would

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have to get out. He would say: 'I have got the ground and I am going to put out traps there.' I would have to go somewhere else. You have been talking about catching spawn lobsters and throwing them out. I have handled them myself this summer.

Q. You have held the female lobsters in your trap and watched what happened to her?—A. I have. I had spawn lobsters in my trap three weeks and kept them out; they never spawned. The lobster, as far as I know, does not cast her spawn off.

Q. No, it is hatched out on the lobster?—A. They hatch right on the lobster and drop off gradually. This summer I marked spawn lobsters and threw them out. How long do you think it was before I got those same lobsters again? I told the other fishermen around me about those lines and the mark I had put on them. It was a week and four days before the first was caught, as near as I can recollect, right where I put it. The last ones I marked I never caught and I never heard tell of any one else catching them. The lobster caught again was, to all intents and purposes, just the same as when I released her, and had no sign of the spawn hatching.

Q. Is there any place here where pounds could be established? A great many people think that impounding the female lobsters is the best way of securing a return from her eggs?—A. There is certainly as good a place as a man could wish for a pound. You would want a place that was not too full of perch.

Q. And a considerable area because we could not crowd the lobsters?—A. If the pounds would not be broken up by rough weather there is no trouble in getting them in this bay.

Mr. MACKENZIE.—I think the solution of the difficulty is in having more hatcheries. There is no reason why we should not have a hatchery here and save the spawn.

The WITNESS.—If hatcheries will hatch spawn. What percentage of the spawn will they hatch?

The COMMISSIONER.—They will hatch practically all the spawn that is brought to the hatchery in good order. There is a great difference in the way the eggs are taken off. If taken off roughly the eggs are destroyed. Furthermore, if the eggs are exposed to the sun or warm weather they will not last any time. They must be taken to the hatchery very rapidly. In the case of people like Mr. Baker, of Cape Breton, who is a great authority, the best results are obtained from the pound. That is, they take the female lobster, and put her into the pound and let her hatch out her own eggs.

The WITNESS.—Certainly, that is the natural way, that is the right way.

Mr. MACKENZIE.—If there was a hatchery here there would be a hundred million more eggs saved.

The WITNESS.—I have seen buckets of spawn taken off and thrown over the wharfs at the hatchery; they never came after them. I have seen ripe spawn taken off and thrown away. It seems they would come up here and only go to a few factories.

Mr. KITCHING.—There are 10 factories within a radius of 10 miles at the end of this cape here.

The COMMISSIONER.—Has the pack been up to the average along this section?

Mr. MACKENZIE.—In this section, but not out towards Pictou.

Mr. KITCHING.—There was a shop put up about 1,400 cases. He told me that he made the fishermen throw out every spawn lobster taken, but he said at least 60 per cent of the lobsters were under 7 inches.

The WITNESS.—I know they bother their fishermen. They put the lobsters out in crates, and when the catch gets scarcer they take the spawn lobsters in.

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By the Commissioner:

Q. There seems to be a disposition on the part of the coast fishermen to be careful of the spawn lobster?—A. There certainly is among those who own their own gear, and it ought to be so, because when a man kills his hen he cannot expect her to lay any more eggs.

Witness discharged.

JOHN W. MYERS, canner, River John, called and sworn:—

By the Commissioner:

Q. On what point do you wish to speak?—A. About keeping the spawn lobsters. You want a harbour or some such place as that do you not?

Q. You want a place with a narrow outlet that you can fence across.—A. It is pretty hard to get that along this shore.

Q. Suitable places are not to be found everywhere, but are there not localities, with the shore broken up like it is here, where you would expect to find them?—A. In same places. In the majority of places along this shore I do not suppose you could get them. It is very rough along this coast and in lots of places it is pretty hard to keep gear.

Q. We want a large area, with sufficient depth of water, and narrow enough at the mouth to be fenced across. The lobsters must not be too crowded or they will destroy each other.—A. It is pretty hard to find a place like that. If there was a hatchery it would be much better.

Q. A hatchery you think is better than a pound?—A. Yes, far better.

Q. In what way?—A. You could dispose of your eggs every day.

Q. So you could with a pound?—A. But in a pound there would be a lot destroyed.

Q. How?—A. Because you could not get suitable places.

Mr LANGILLE.—Excuse me, there is one place between Tatamagouche and Brule where there could be a pound placed but scarcely any fresh water comes in.

The COMMISSIONER.—What is the depth of water?

Mr. LANGILLE.—A four foot channel, a channel very wide with a narrow outlet. It is several acres in extent inside, there would be at least ten acres. Large schooners used to go in, but now there is a bridge across so that they cannot get in.

The WITNESS.—But there is a lot of fresh water comes in there.

By the Commissioner:

Q. Are there any lobsters found in there now?—A. Yes, they find lobsters in there now. You can get them in the spring or at any time. They set their traps right off the bridge. I have seen them there in the fall.

Q. You wish to go on record as favouring the establishment of more hatcheries?—A. I do, sir.

Q. I suppose the conditions are pretty much the same with you as with these other gentlemen?—A. Yes, sir.

Q. Have the regulations ever been observed in your neighbourhood?—A. Just about the same as it has been along with the rest.

Q. To what extent is that?—A. About eight inches.

Q. Have the lobsters below eight inches been saved in your case?—A. No, we have been taking them all.

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Q. And the berried lobsters also?—A. Well, yes.

Q. That is to say the regulations were never enforced?—A. No.

Q. Were they ever enforced?—A. Not strictly, I suppose they were to a certain extent.

Q. They were in the beginning?—A. Yes. There have been some thrown away. The trouble is that a lot of fishermen wash the eggs off.

Q. Is it a difficult matter to detect the lobster that has had her eggs brushed off?—A. It is pretty hard to detect her.

Q. I suppose where you are handling a large quantity of lobsters such detection is pretty hard?—A. At times you can detect them, but you often pass over a lot.

Q. What percentage would you say of the lobsters brought to your factory bear eggs?—A. I would say somewhere between three and four per cent.

Q. It is greater at one part of the season than at another?—A. Oh, yes.

Q. At what time do you find the most?—A. In the latter part of the season.

Q. What do you think about the present method of issuing licenses?—A. The way the licenses are issued now I think is the best.

Q. That is restricting the number?—A. Yes.

Q. Do you think there is anything gained by restricting the number of licenses and not restricting the amount of gear?—A. I think that ought to be restricted too.

Q. How would you go to work to restrict it?—A. I would say so much gear to a boat.

Q. What should be the limit to the number of boats?—A. A great deal would depend upon the size of the shop in that respect. But in a general way the fishermen I think fish too much gear. Four or five hundred traps are too many for a man to attend to. He cannot attend those traps right and do justice.

Q. Is there any other matter that you want to dwell on?—A. I don't know that there is.

Q. You think that the present license system should be continued in force, that the number of licenses should be restricted, but that we might limit the amount of gear fished by any one packer?—A. Yes, sir, I do.

Q. What do you think of the various propositions advanced: Shutting down altogether, or shutting down by sections, or else withdrawing the size limit regulation and somewhat shortening the season?—A. I think it is better to shorten the season.

Q. What would you put the limit at?—A. From the 1st of May to the last of June.

Q. Limit the fishing to two months?—A. Yes.

Q. What is the average number of fishing days here along the shore?—A. It is pretty hard to come at on account of the storms. Some seasons we have more than others.

Q. What would it average one day with the other?—A. A little over two months.

Q. But you have only two months fishing?—A. From the start you mean at the 20th? I could not say.

Mr. LANGILLE.—I would say we would lose on the average about three days in a season. That is a good man will lose that. Other men will lose a great deal more than that.

The COMMISSIONER.—There are some places where the coast is very rough where they do not average more than 35 fishing days.

Witness discharged.

JAMES MACKENZIE, packer, River John, called and sworn:—

By the Commissioner:

Q. Where is your cannery situated?—A. On the north shore. I think it is called the back shore.

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You have heard the evidence of the other gentlemen?—A. Yes, sir.

Q. Do you agree with it in the main?—A. I do.

Q. Do you differ with them on anything?—A. No, nothing at all.

Q. Do you wish to speak particularly with regard to the matter of the berried lobster?—A. Yes.

Q. What is your suggestion?—A. I would to say to swear every fisherman, every weigher and every packer.

Q. You would put them under oath not to take the berried lobster?—A. Yes, and the business will look after itself then. I don't think any people need worry then about putting slats one inch or ten inches apart. The business would take care of itself if berried lobsters were thoroughly protected. If a man broke his oath let him take the consequences.

Q. Who would administer the oath?—A. The magistrates in the villages.

Q. There would have to be some record; how would you know whether the man had kept his oath or not?—A. When the officers visited the factories.

Q. Would it not be simpler to adopt the license system?—A. It might be worth while having.

Witness discharged.

Commission adjourned.

PICTOU, August 9, 1909.

GEORGE W. ATKINS, packer, Pictou, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing industry?—A. 18 seasons.

Q. Before that what did you do?—A. I fished lobsters.

Q. How many canneries do you control?—A. Three.

Q. Where are they situated?—A. One at Little Harbour, Pictou county; one at Gull Rock, Caribou island; and one at West End, Caribou island.

Q. Are there many other canneries licensed in your neighbourhood?—A. Yes, there are.

Q. How many boats do you employ?—A. Eighteen at Gull rock, 8 at Little Harbour, and 10 at West End, Caribou.

Q. About what number of hands do you employ ashore?—A. Males and females? Twenty-three at Gull Rock, 10 at Little Harbour, and 50 at West End. That does not include the cooks, but just the factory hands. There are 4 cooks altogether.

Q. Are the boats mostly owned by yourself?—A. All but 7.

Q. There are 7 fishing their own outfit?—A. Seven fishing their own outfit.

Q. What number of cases did you put up in those three canneries this year?—A. We put up 605 whole cases at Gull Rock, 315 at Little Harbour, and 367 at West End.

Q. How does that compare with your pack of last year and the year before?—A. It is away down. The pack last year was 1,650 cases, and the year before, as near as I can tell, about 1,480.

Q. What was the largest pack you ever made?—A. Last year.

Q. When do you begin fishing one year with the other?—A. We never made a pack but two years on the 20th April, and all the other years from the 5th up to as late two years ago, as the 25th May. That was on account of the ice.

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Q. What number of traps do you fish to a boat?—A. All the way now from 225 to 290 and 300. Some of those that own their own gear fish as high as 400, but my own boats no more than that.

Q. Do you consider that is enough for a boat to fish?—A. That is enough.

Q. Would you say that no two men can fish 400 traps and attend to the job properly?—A. I would say so.

Q. Do the fishermen fish in the same depth of water all through the season?—A. No, sir, they move in the first move, most of the fishermen.

Q. Move into shoaler water?—A. Yes.

Q. What is the shoalest water they fish in?—A. I would say about three and a half fathoms.

Q. What sort of a bottom do they select when they can get it?—A. Hard bottom.

Q. What proportion of the lobsters you take will be under the legal size limit of 8 inches. The lobsters were measured this year, were they not?—A. The officer came around and measured them at my factory.

Q. Then about what would you say is the proportion below 8 inches?—A. There would be quite a number under 8 inches.

Q. Here you deliver all your berried lobsters to the hatchery, do you?—A. Yes, I do every day.

Q. Out of every hundred how many would be egg-bearing lobsters?—A. Oh, well, some years more than others. This was an awful year for spawn fish. At the first of the run I would say there was one-quarter for the first three weeks.

Q. That is a very high run?—A. Yes.

Q. Was that the first three weeks in May?—A. Yes, they were caught up farther off shore.

Q. How is it generally; do you get the largest amount of berried lobsters off shore or inshore?—A. Off shore in the first three weeks fishing, and then at the end of the season they come inshore.

Q. Does the hatchery run from the beginning of the season to the close?—A. From the beginning, as soon as the first fish is caught.

Q. Up to the 10th of July, when they shut down?—A. They put the eggs out after that, but they collect no more berries.

Q. And is it generally the case that every season you get the first run of berried fish in May and then the others later on inshore?—A. Last year they were not as plentiful at the first of the season. They were more plentiful at the last along in June.

Q. That was in 1908?—A. 1908.

Q. How are they generally?—A. Most always for the first three weeks the outside fishing is a good run of fish.

Q. What sort of lobsters are they as a rule, the berried fish?—A. They are good fair-sized lobsters; there are not many of them go under 9 inches.

Q. What was the smallest you ever remarked?—A. I remember this summer measuring one about $7\frac{1}{2}$ inches with berries.

Q. That is unusual?—A. Yes.

Q. The majority of them are large?—A. Yes.

Q. Is there any part of the season when you would consider lobsters not fit for human food?—A. Yes, just after they have cast their shell.

Q. While they are in the soft shell state?—A. Yes, sir.

Q. What sort of trap do you use?—A. Well, I use some of what they call the parlour trap, I suppose you know, and some two headed.

Q. Do you find much difference in the fishing capacity?—A. The parlour trap fishes the best.

Q. That is to say, it will hold the fish it takes?—A. Holds the fish. When the seasons strike on there is small perch that gets in and eats the bait, and if the perch strips the bait in the two-headed trap the lobster goes out, but not out of the parlour trap to the same extent.

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Q. What width do you allow between the slats in your trap?—A. The width of the pole of a hatchet, but some are a little finer than others.

Q. There is complaint from many places that the width between the slats is only half an inch?—A. Ours is over half an inch.

Q. A good many people have suggested as a means of protecting the small lobsters and allowing more of them to escape, that the slat should be fixed a little farther apart than it is?—A. The mesh in the head would be more liable to do that.

Q. What size do you make your mesh?—A. About two and a half extension measure.

Q. And you think that by means of the mesh in the head more lobsters are liable to get out than with the opening in the slats?—A. Yes. I will tell you if you are fishing lobsters and there is one mesh cut you will never get a lobster in that pot; they will all escape.

Q. It is proposed to protect the smaller lobster because evidently an unfair proportion of small lobsters are being canned; what would you think would be a fair-sized mesh to accomplish the desired object? In some places they are canning lobsters down to three inches?—A. We don't do that. I don't think they can can a three-inch lobster. Where would they get the meat, in the claw?

Q. Where they are packing 18 to 20 lobsters to the pound tin they are pretty small?—A. I have never seen that.

Q. What would be the effect if the size limit of 8 inches were strictly enforced?—A. It would close all the factories. Yes, sir, that is what it would do.

Q. Now, as to the method of issuing the licenses: Under the present regulations the number of licenses is restricted. The department will not issue a new license unless it is to a group of fishermen who form an association and pack lobsters on the co-operative plan; are there any such associations in your neighbourhood?—A. No, sir

Q. What is your idea as to issuing licenses?—A. I would say issue none.

Q. No more than there are at present?—A. No. I have reasons for that.

Q. What reason would you assign?—A. The fishermen get together and talk it over, and say that the lobster packer is making a fortune and the like of that, but that they are not getting anything for their fish.

Q. We hear lots of that?—A. They should get together and build factories of their own. The first thing they would find is that they have not got the capital to do it, and they would only make a failure of it after two years. The fisherman is getting well paid for lobsters. I paid one fisherman last year \$600 at Gull Rock.

Q. That is two men in a boat?—A. One man at \$3 a hundredweight; he had his own gear.

Q. That was last year?—A. Yes, sir.

Q. This year the price has dropped?—A. I dropped 15 cents. I paid this year some of them \$450 to a boat.

Q. What rate per hundred would that be?—A. \$2.85.

Q. Was that the general price here?—A. That was the price paid by Logan and I, and all the rest, a general thing.

Q. The fishermen complain, of course, that there is a combine on the part of the canners to keep the price down; is there anything of that kind to your knowledge?—A. No, there is not. The packers are running big risks, and this year we did not make a dollar.

Q. What condition is the lobster fishery in now compared with its state when you first began fishing?—A. Well, when I first commenced fishing 32 years ago at Brule harbour, Burnham & Morrill had a factory there.

Q. That is at River John?—A. That is the Cape John factory now. The lobsters were then plentiful. We did not fish as many boats, but there were no factories. The next factory was at Macdonald's Cove, and the next one was Pugwash. Now, there are so many more factories, and the pack last year was bigger than it was for years and years.

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Q. Will the lobsters run as large now as when you first began fishing?—A. No, sir, they do not run as large.

Q. Have you kept up your pack by fishing an increased amount of gear?—A. Yes, sir.

Q. Do you find much difference in the run of the fish in the last five or ten years?—A. No, sir.

Q. Do you attribute that to the hatchery in this neighbourhood?—A. Yes, that is what we claim.

Q. What indications are there that lead you to believe the hatchery is doing good work here?—A. Well, because the pack is kept up.

Q. Do you find runs of lobsters of the same size and quality?—A. Yes, of the one size, thousands of them.

Q. That would lead you to believe they had been planted at some time?—A. Yes, sir.

Q. Are there any facilities in this neighbourhood for the establishment of pounds a good many people are of the opinion that pounds are of as much value as hatcheries?

—A. Do you mean like the Baker pound?

Q. Yes. Do the facilities exist along this coast for establishing pounds of that kind?—A. No.

Q. You want a considerable area of salt water, two or three fathoms deep, and the possibility of barring the mouth so that the lobsters can be held there.—A. There is no place suitable from here to Merigomish, I don't know what it will be like from there.

Q. Have the regulations as to size ever been enforced in this neighbourhood?—A. No, sir.

Q. Do you think it is the case that a larger percentage of lobsters is required in the fall than in May and June to fill a one pound can?—A. Yes, sir.

Q. Is it the case that canners are compelled to accept undersized lobsters for fear of losing their fishermen, would the men fish if they were compelled to abide by the size limit?—A. No, sir, they would not.

Q. What number of green lobsters in your case does it take to fill a pound can?—A. About four and a half in June, and maybe four and three-quarters in May.

Q. They are fuller in June?—A. Yes, sir, it is the fullest time of the season.

Q. It has been suggested among other things that one way of getting the fishermen to observe the law with regard to berried lobsters and size, is to license them as well as the canner; what do you think about that, would there be anything gained by licensing the fishermen?—A. No, they would wash the spawn off the lobsters outside.

Q. Several suggestions have been made to the department at various times by people that were interested with a view of improving the fishery. One is to stop altogether for a term of years, issue no licenses and do no canning; what would you think of that?—A. Well, that would be a great drawback on the packers and on the country where there is millions of dollars paid out.

Q. Of course the idea is that in the meantime the fishery would recuperate and be made stronger than ever.—A. Yes, and then fill the market and get about \$3 a case.

Q. The Lobster Commission of 1898, recommended the creation of temporary reserves, that is closing down by sections, shutting off one section for a term of years, and then another and so on?—A. That would not do. I read about that.

Q. Another suggestion is to do away with the size limit altogether, but so regulate the traps as to permit a larger proportion of small lobsters to escape. A great many, in fact a majority, of the traps now in use are not intended to allow small lobsters to escape at all.—A. But the fishermen would take and fix the laths every day.

Q. If the fishermen were licensed it would be possible to follow them up strictly and prevent a man from fishing who violated the law. However, the proposition is to do away with the size limit and if possible regulate the mesh or the space in the slats

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and shorten the season by ten days, knocking off at the first of July.—A. Taking the ten days off?

Q. That is the suggestion that has been made, I think you will see a number of those things in your copy of the evidence?—A. Yes, I read them all. Well, now that is the ten days where the packer makes money if he makes any.

Q. In some localities?—A. Yes.

Q. There are some localities where the canners and fishermen have all said it will not make any difference.—A. I own all my traps and gear and outfit, maybe \$10,000, and maybe it will take to the last of June to clear that \$10,000 and pay expenses; I will not get a dollar. If I get the ten days I will have paid for everything and in that time will make a pretty good profit, I will only have to pay for my fish in the season. It might do on the southern shore where they get no lobsters for ten days.

Q. Do you think it would be possible or right to establish a standard of fitness for canneries, that regulations should be enforced requiring a cannery to pack up to a certain standard, that the table should be constructed in a certain way and kept clean and so forth?—A. Yes, we have got to do that.

Q. What do you cover your table with?—A. Cover them with zinc and I have racks of planed wood. The meat never touches the zinc.

Q. Do you think the product of the cannery, that is the tinned lobster, should be inspected?—A. Well, the buyer does it.

Q. The buyer does it in every case, but the inspection is not an official one. Of course the buyer always does that and he trusts very largely to the person he deals with. Will the fishermen make more money if they are allowed to can?—A. No, sir, they will make less.

Q. What is the price paid for lobsters in your district to those that are fishing with your gear?—A. \$1.25 per hundred weight.

Q. And to those that fish their own gear?—A. \$2.85.

Q. And most of the men come from Nova Scotia?—A. Yes, sir.

Q. Their way is paid coming and going?—A. Yes, sir.

Q. Have you ever heard the fishermen here complain that they were not getting enough for their lobsters?—A. Yes, sir, I have heard them complain, not all, but some.

Q. Is it the case that fishermen have ever lost their catch of lobsters through the canners refusing to accept them?—A. No, sir, not in our district.

Q. In some cases it is alleged that the fishermen have suffered injury by the failure of the canners to operate their factories, has any such case come under your notice?—A. No, sir.

Q. That is what led to the adoption of the co-operative license regulation, the complaint that canners refused in some cases to buy the lobsters and the fishermen were put to loss?—A. Not in our district.

Q. What market would the fishermen in this district find for lobsters if the canneries were closed?—A. No market to pack them in this district and they cannot ship them alive.

Q. For what reason?—A. They won't live.

Q. Has it been tried?—A. Yes, sir. We can hardly keep them alive long enough to get them to boil on a warm day. Great care has to be taken.

Q. Do you think there is any difference between the lobsters taken here and those caught on the Atlantic coast?—A. Yes, sir, they are softer here and die much easier.

Q. That is because they are caught in warmer water?—A. Because they are caught in warmer water and have not much strength.

Q. Has the experiment been made of shipping them alive from here?—A. No, I never tried to ship them alive. They have been boiled and shipped that way but they did not make a success of it.

Q. Is there much fishing done here after the close of the season?—A. Well, not very much in our district, a little at Little Harbour.

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Q. Has there been much gear abandoned in the water? In some places we find the practice is not to take in old rigging but leave it in the water?—A. There is quite a lot.

Q. Cannors complain that very often at the tag end of the season the fishermen clear out and do not bother about moving the gear in and there is a great deal of it left in the water?—A. That is right.

Q. Now as to the method of putting on the labels, do you think it answers any good purpose?—A. Well, it does not answer any good purpose if any one is wanting to get stamps because they can stamp a hundred cases. The inspector comes around and they show him a hundred cases and he stamps them. If any one is bad enough he can come back and remove fifty of them and then get fifty more stamped the next time.

Q. Now tell me about the fishing in bays and lagoons. It is claimed that a good deal of damage is done late in the season by the practice of fishing in shoal water inside bays and lagoons; is that done here?—A. We don't do that here, we don't have any bays in our district. I would like to state in regard to the date of opening in the spring, the 20th April. There are mountains of ice then but men get out and run their gear on poles. The moment they run the gear it is sunk. When the ice clears another man will go and run his gear there and the man who sinks the poles claims he has the berth. Then the other man has got to lift up his gear and it gives him a lot of trouble.

Q. What is your remedy for that?—A. I say if you do not cut the season off till the 1st of May, make it like the Island, the 26th April and that will be better.

Q. How do you think we can best keep down the catch of small lobsters, what would be your remedy for that condition of affairs? There is no doubt that too many small lobsters are being taken and it must be injurious to any fishery to kill off the young before they reach maturity?—A. Yes, they grow pretty fast.

Q. An 8-inch lobster is supposed to be three years old?—A. Yes, I measured them coming out of the shell lots of times when I was fishing them. They just grow three inches.

Q. Up till the fall?—A. That is the time when they come out of the shell. There is the shell in the pot. Take the fresh lobster that comes out and put him alongside the shell and he is a lot bigger, he swells right up.

Q. I do not know anything else to ask you?—A. I claim myself that a lobster under 7 inches should not be packed. What I would do I would deal with the fisherman as well as the packer.

Q. The modern trap takes lobsters a good deal under seven inches and holds them; what would be your suggestion for letting anything under seven, or six, or five inches escape, for I assure you they take lobsters under that size in many places?—A. All I know would be to put a fine on the fishermen.

Q. For bringing in undersized lobsters?—A. For bringing in a five-inch lobster because that size is altogether too small.

Witness discharged.

WINTON CORBIN, packer, Pictou, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing?—A. About 16 years.

Q. How many canneries do you operate?—A. Of course I am only manager for one.

Q. What number of boats do you fish?—A. Ten.

Q. Do the men fish their own or are the boats yours?—A. Nine fish Burnham & Morrill's gear and one owns his own.

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Q. You are manager of a factory for Burnham & Morrill?—A. Yes.

Q. Are there many other canneries licensed in your neighbourhood?—A. Yes, there are several very handy.

Q. In what depth of water do your boats fish?—A. Anywhere between $5\frac{1}{2}$ to $7\frac{1}{2}$ fathoms. Perhaps it may run a little over that sometimes.

Q. Where is this particular cannery situated?—A. At Little Entrance, four and a half miles from here.

Q. You are close to the hatchery?—A. There is just a hundred feet space between us, we are right beside it.

Q. What is the practice of your boats, do they fish in the same water all through the season?—A. They shift around. They may only shift half a mile, perhaps three-quarters of a mile, perhaps less.

Q. But they keep in the same water?—A. The same water.

Q. They do not go into very deep water?—A. Oh, no.

Q. What number of hands do you employ in the cannery?—A. About 15 men and women.

Q. How much did you pack this year?—A. Two hundred and ninety cases.

Q. And last year?—A. Four hundred and seventeen. Of coures this year we shut down early.

Q. Why did you shut down early?—A. The lobsters did not seem to be plentiful enough, and they were small. Then we lost considerable traps in the storm in May and it was not worth while fitting up again.

Q. Is the run of lobsters as good now as it was when you began?—A. No, they are not. They were not as good this year as they were last, but we have noticed this thing years ago, the same thing.

Q. Even in the beginning you had off years?—A. Yes, and we find it the same now, that we have not varied a great lot in our pack. Of course years ago we used to get 800 and 900 cases, but we had more boats and at that time there were not so many factories. Since that time there are more factories and we can only catch what passes them.

Q. There is more gear in the water now than when you began packing?—A. I should say so.

Q. To what extent?—A. I don't know. We know what we are using ourselves but we don't know what the other factories have.

Q. What is the amount of gear you use now as compared with years ago?—A. We don't use as much gear now as years ago because we do not have the same quantity of boats.

Q. Then you are not packing as much either?—A. No, not packing as much.

Q. Are most of your men regular fishermen?—A. The fishermen are all imported men from the eastern shore of Halifax county.

Q. From your observation and your proximity to the hatchery what would you say is the principal spawning month of the lobsters?—A. You can get spawn all the time, the whole season, but the way we find it we get more spawn in May than in any other time with the exception that there is a time in June that you get a stock of lobsters for three or four days with more spawn than at any other time. That is about the period when they are going to cast their spawn. That is how we find it. But of course you get spawn every day.

Q. Do you think the lobster goes inshore to spawn?—A. Well, I don't know about that. Where we get most of our spawn fish is off on the Pictou island ground. That is four or four and a half miles from the factory.

Q. What is the smallest sized female lobster you have ever known to carry eggs?—A. Six and a half inches.

Q. By measurement?—A. Yes, and I don't know but what she is stuck up, in the hatchery. Mr. Ogden caught it. It was caught off our place. There was an old gentleman, Mr. Wilmot, who used to run the hatchery at Bedford had a lobster under

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nine inches with much spawn on it. You get lots of them six and a half, six and three-quarters and seven inches, find them every day. Only when the lobsters are plentiful you get more big ones. The small lobster won't come in when the big lobsters are there, they won't stay in the trap.

Q. What would be the average size of the berried lobster?—A. Anywhere from 8, 9, 10 to 12 inches. I have measured them with eggs on.

Q. Could you give me any idea of the percentage of berried lobsters, how many per hundred there will be?—A. No, I could not. I have seen 160 pounds weight of spawn fish out of 450 or 460 pounds. I know there was not 500 and there was 160 pounds, or probably it is 156 pounds of spawn fish on the Pictou island grounds.

Q. You say they are more numerous in May?—A. In May.

Q. And there is another run in June?—A. Always a run in June. That is the time they are trapped.

Q. Do you think the eggs are taken off the berried lobsters carefully?—A. Yes, they are taken off carefully.

Q. By whom?—A. Sometimes by the men at the hatchery, I take off a good many myself. Of course as soon as there is a boat they get the eggs and they are taken right over.

Q. In your neighbourhood is the regulation restricting you to an 8-inch size limit observed?—A. Oh, no, we take under that; there is no use to lie about it.

Q. You not only do it, but it is done everywhere?—A. Just so.

Q. Has the regulation ever been observed?—A. Well, no, I don't think it has.

Q. Could you give me any idea of the proportion of lobsters taken that will be below the size limit?—A. No, I have no idea how many would be taken. As a general rule we got a majority of the lobsters at Caribou until this year when they got small at the end of the season. That is why we closed down as much as anything.

Q. That is because you caught fish that were too small?—A. Fish that were too small to pack and they were of very little benefit to packer or to fishermen. I have known the fishermen to throw away a hundred lobsters a day.

Q. Would you say a considerable proportion was below the size limit?—A. I could not give you an estimate because I do not know exactly, but there are a good many small ones.

Q. How do they run in your case; what number of green lobsters would it take to fill a pound tin or fill a case?—A. It would take about 220 or 225 pounds at one time.

Q. Is that in May or June?—A. The latter part of May and the first week in June is when you get your best average. This year the lobster was a kind of watery and did not weigh very good. Some claim that is on account of the early spring, but I don't know whether it is or not.

Q. Did you suffer much loss of gear this year?—A. We lost 291 traps in that one storm. The next storm we had our gear on the bank.

Q. Has there been any noticeable decline in the average size of the lobsters caught in your district within the last ten years?—A. Oh, yes, it varies almost every year; there are no two years alike.

Q. That is what we understand, but on the whole is the average size decreasing?—A. Well, this year, but last year, as I said before, the lobsters were very large.

Q. But on the whole, how is it?—A. There are other years we have seen them small. I have seen it take 265 lobsters in count to make 60 pounds in weight of meat. That was a small lobster caught in the mud and shallow water. That was over 14 years ago.

Q. Was that very late in the season?—A. I don't remember the time of the year.

Q. Well, you would not be fishing very early in the season?—A. No, we shift in in May. It was down below in Pictou harbour where we caught them.

Q. Do you think that on the whole the average size of the lobster has decreased within your recollection?—A. No, I don't think it has. Of course, years ago they

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say they used to get them awful large. That was when they first started, in the first two or three years. Of course, when the lobsters are plentiful the little ones won't come in where the large ones are.

Q. Were there any regulations enforced at first?—A. No. I remember when the 9-inch law came up, they came around and fined you a few times, but still it did not stop them from taking the small lobsters.

Q. Is there any attempt made to enforce the law?—A. The inspector comes around and has a look at you; he doesn't say much.

Q. To what cause do you attribute the decline in the size of the lobsters?—A. I don't know, I am sure. Of course, the traps they are using now are a little different from what they were using years ago. That might account for it, they can hold smaller lobsters.

Q. What trap do you use?—A. We use the old fashioned trap, the double ender, this year. We used to have what they call the parlour trap, but our men were dissatisfied with them, and don't want to use them any more, that is, our fishermen.

Q. Why are they dissatisfied?—A. They thought they caught lobsters that were too small and had to throw them away.

Q. Had to throw away too many?—A. Yes.

Q. Have you any idea of the space allowed between the slats in the trap?—A. Oh, well, they are about an inch apart. It is not the slats that holds them in, it is the head, the slats are all right. Any small ones that get in are held.

Q. What is the size of the mesh in the end?—A. Two and a half inches, I think it is. They make them extension measure.

Q. What would you suggest would be the best way of allowing a larger proportion of small lobsters to escape?—A. I think if the double end traps were used the little ones can get out when they like.

Q. Would you prefer to stick to the double end trap?—A. That is what I would have if I had my way, but most people like this parlour trap, they are so much smaller and easier to handle. They put more on a boat and find them easier to handle.

Q. What is the average number of traps fished to a boat?—A. They run anywhere between 180 and 250. With 250 traps to a boat there are two men in it. A man fishes 180 and sometimes 200 traps in a single boat. Of course, they may have a few traps more than that, perhaps not so many.

Q. Would you carry on your factory if strictly tied down to the 8-inch size limit?—A. I don't know but what they would have to close her up. An 8-inch lobster is a pretty good lobster, you know.

Q. If the size limit were reduced to 7 inches would there be any better chance of enforcing it?—A. Yes, I think if they made the size limit 7 inches everybody would be satisfied.

Q. Do you think they would be more likely to live up to that limit?—A. Yes, they would be more apt to.

Q. We were told when the limit was nine inches and was reduced to eight, that no more small lobsters would be caught. Now you suggest that it be reduced to seven inches.—A. Well, if they could not take seven inch lobsters it would not be worth while for them to open their shops.

Q. Is there not the danger that if the size limit is reduced to seven inches the same thing will go on?—A. There are very few lobsters you get under seven inches that are any good. A man asked me how many seven inch lobsters it took to make a pound can. That is a question nobody could answer unless you tried it. I tried it myself. Some man in Ottawa said it took 19. It only took nine and a half seven inch lobsters to make a can. Probably later in the season nine would have done it.

Q. Our calculation is that it takes nine seven inch lobsters to make a pound tin.—A. That would make it say the first week in June. All June the lobsters average fairly well.

Q. But there are places where they are using sixteen and eighteen lobsters to make a pound tin.—A. It is pretty small fish they must be catching.

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Q. You say they must have pretty small lobsters where they catch those fish; you have told us it takes four and a half green lobsters to fill a pound tin?—A. Sometimes it will run a little better than that.

Q. It has been suggested to the Parliamentary Committee that the fisherman should be required to register and take out a license at a nominal fee; what would you think of that?—A. I don't know.

Q. The idea is that if they were licensed the fishermen would observe the law better with regard to berried lobsters and all that sort of thing?—A. The fishermen would not look at that. The fishermen, the same as Burnham & Morrill and Mr. Atkins, where they have to import them, would say: 'We will not take out any license, we may not go in the spring,' and if any one came along and engaged them to go on a little better job they would take it. What is the good of their taking out licenses?

Q. The license would have to be taken out in the neighbourhood of the cannery when they began work?—A. Just so.

Q. Have the regulations for the protection of the lobster ever been observed in your district?—A. I don't know hardly how to answer that.

Q. What would be the effect of strictly enforcing the present regulations?—A. That you could not take anything under eight inches? If they enforced that law I think there would be no factories running anywhere on the coast so far as I know.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further licenses be discouraged?—A. I should think so. I think myself there are too many issued, but still you could not take them away after giving them. There are factories enough I know around where we are.

Q. Do you know of any good reason why any man who shows his competency to pack should not be given a license?—A. No, I do not.

Q. Do you think it would be possible to regulate the matter of licenses by insisting upon a standard cannery, it would not do to give everybody a license?—A. No, it would not. I don't think there are many that will want licenses on this coast.

Q. You would be astonished at the number of applications.—A. They only want to let the folks at Ottawa live in some parts down here and see what they will say to them.

Q. During what period of the open season is the lobster fishery most actively prosecuted with you?—A. The last of May and the first of June is our best period always.

Q. As a rule when do you begin to pack?—A. Where we are we don't generally get started before the 10th of May. Last year I think we had the first haul on the 5th of May, I would not be sure.

Q. What, in your opinion, would be the effect of a shorter open season with no restriction as to size limit?—A. I think the season is about as short now as it ought to be when they take off say two days in the spring.

Q. You would shorten the season at the beginning?—A. Yes, because that would not affect the fishery much, that is the easiest time to shorten it. I was always under the impression that if they took five days off the opening of the season it would be more suitable for us at Little Entrance. We cannot get as early started as they can on the Gulf. The ice when it leaves them comes down to us for quite a little while. My opinion is that lobsters are not fit to pack when you get them in April. I have seen them get large lobsters and the claws are thin and watery. You have to throw them away, you cannot put them in a can, they are like felt. I don't think anybody should be allowed to start hauling lobster traps before the 1st of May.

Q. Do you think it would be possible or right to insist that a cannery should be up to a certain standard?—A. What do you mean by that?

Q. That the tables should be of a certain construction, covered with glass, marble, zinc or galvanized iron or whatever is thought to be most desirable—that provision of that kind be made?—A. We use zinc covered tables and block tins for putting all

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the meat in when it comes out of the shell. No meat touches the table. We have a rack and that is washed and scalded down every day and kept clean.

Q. Do you think the product of the cannery should be subject to inspection?—A. It would not do any harm to be sure.

Q. Do you think the existing staff are competent to make this inspection, or that it would necessitate a new staff to carry on that work?—A. It would require a man to know considerable about it.

Q. Do you think the fishermen would make more money if they were allowed to can; they claim, of course, that if given a license and allowed to can on their own hook they would?—A. No, I don't think they would.

Q. Are there any co-operative canneries in our neighbourhood?—A. No, sir.

Q. What is the price paid for lobsters in your neighbourhood?—A. They pay \$2.85 a hundred.

Q. To those who furnish their own gear?—A. To those who furnish their own gear and \$1.40 where we furnish everything.

Q. How is that price arranged, who fixes it?—A. The canners fix that themselves.

Q. Are you aware of any complaints made by the fishermen that the price paid them by the canners is not satisfactory?—A. I never heard them find any fault. The fishermen are a class of people that if they don't get what they want they won't go. You cannot do with them as you like. They are about as independent a class as you find anywhere.

Q. Is it to your knowledge that any attempt has ever been made in this neighborhood to carry on the live lobster industry?—A. I don't think it has ever been done, nothing more than for the local market.

Q. Do you think there is any difference between the lobster caught here and the lobster on the Atlantic coast?—A. I don't know, I am sure; I never worked on the Atlantic coast.

Q. Do you think the live lobster trade should be encouraged?—A. I don't know, I have no idea about that at all.

Q. From your experience can you say whether the hatcheries have helped to maintain the supply of lobsters?—A. I believe they have. I believe the hatchery is a grand thing.

Q. Have you any proof to offer in support of your statement?—A. We know they hatch them out and put them out all right, millions of them. We often get little lobsters about that long (illustrating by a gesture) that would be about a year old. Men have hauled them in their traps, especially where there is a kelpy bottom. Of course they have to keep picking them out.

Q. Do you think the female lobster goes inshore to spawn?—A. No, we get them in deep water with as many spawn as in shoal water. That is as far as I know. I never was fishing lobsters on rocky bottom where the lobsters that spawn mostly go.

Q. What is the average length of time they hold spawn in the hatchery?—A. They generally take the spawn the first day they open, and it goes out anywhere between the 17th and the 30th of June.

Q. Is there any fishing out of season done in your neighbourhood?—A. I don't think there are an lobsters caught at all. There is no packing done anywhere so far as I know.

Q. Have you any opinion about the matter of fishing in bays and lagoons?—A. I don't know anything about it.

Q. Have you any suggestions to make?—A. No suggestions to make at all. I tried to tell you the truth, all I know about the matter. If it is not all true I tried to shape as close to it as I could.

Q. Do you think we might prevent the catch of small lobsters by regulating the mesh?—A. No, sir, I don't think that would have the effect because the lobster never attempts to get out of the mesh, it is out of the side. In the parlour trap he cannot get out, he has to stay there.

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Q. How would you go to work if you wanted to preserve the small lobster; is there any kind or any arrangement of trap that would prevent the catching of small lobsters?—A. I suppose the old two ender is the only size there is. I hired a man who did not have any of these parlour traps this year. This is the first time he ever tried them. We made 130 for our nine boats. One man would not make them, he made the old fashioned trap. All the lobsters he caught was 9 but he did not have any small ones. The other fishermen made 30, 25, and some only 15. They would not have anything to do with the trap again under any condition, they kept catching small lobsters and throwing them out. This same fisherman had not one small lobster. The others want anything they can sell.

Q. Do you think the fishermen as a class are realizing the necessity of saving the berried lobsters and the small ones?—A. I don't know, I am sure. At our place—that is all I can speak for—they bring in all the spawn and we give it to the hatchery.

Q. Are they disposed to save the small lobsters?—A. Yes, they know the small lobsters are no good to can. I have picked out as many as 30 or 40 out of a barrow holding anywhere from 210 to 235. We have some fishermen that will pick out small lobsters and throw them overboard themselves. We have one old fisherman who has been fishing for 28 years. He is very particular about anything like that.

Witness discharged.

A. L. WHITMAN, packer, Ballantyne's Cove, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. About 20 years.

Q. Did you ever fish lobsters?—A. Just a few when I was a boy.

Q. Are you running your own cannery?—A. No.

Q. Whose cannery?—A. Burnham & Morrill's.

Q. Where is that cannery situated?—A. Ballantyne's Cove.

Q. What number of boats do you employ at the cannery?—A. 26.

Q. Are they all your own?—A. No, the fishermen are all natives fishing their own gear.

Q. How many hands do you employ in the cannery?—A. The biggest time we employ about 30 hands.

Q. What was your pack this year?—A. 533 cases.

Q. And last year?—A. 526 cases. The year before seven hundred and something, as near as I can remember.

Q. What was your best pack?—A. 701 cases, I think.

Q. How long have you employed this number of boats?—A. Ever since I have been there.

Q. Are you fishing the same amount of gear?—A. Yes, the same amount of gear.

Q. You have not increased it?—A. We have not increased the gear.

Q. What is the average number of traps?—A. They average about 150 traps to a boat.

Q. Are they single handed boats?—A. Most of them have a boy. There are fathers who take their son or brother with them.

Q. Who are the fishermen?—A. All natives of the place.

Q. Are they regular fishermen who fish all the year around?—A. No, they fish and farm.

Q. In what depth of water do they fish?—A. They fish in anywhere from 4 to 10 fathoms.

Q. How far off shore do they go; do they go into St. George's Bay?—A. Into St. George's Bay and at the end of the Cape. They don't have to go over half a mile straight, or three-quarters.

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Q. To get into deep water?—A. No.

Q. Do they fish in the same depth of water all the season or do they move in?—

A. Some of them move in. Where they start in the spring they generally run on and off. They start in four and a half fathoms of water and they have not to go very far before they reach 8 or 9.

Q. They run off shore, not parallel with it?—A. Not parallel.

Q. What is the best time of fishing in your neighbourhood?—A. Well, along from about the 10th to the last of May.

Q. Do you notice much difference between the run of the fish you get at the beginning of the fishery and those you take at the end of the season?—A. No, they run along about the same average size.

Q. You are beyond the range of the hatchery there are you?—A. Yes.

Q. What proportion of the fish would you say is below the legal size limit of 8 inches?—A. There is quite a number.

Q. Where they measured this year?—A. Yes, and the measurements were sent in to Mr. Hockin. I just forget now but I know there was quite a percentage.

Q. And as to the berried lobster what is your practice?—A. I will tell you what we have been doing the last four years there. Our inspector, has enforced the law. He has told us that we are not to take spawn lobsters and we don't wish to, and the fishermen have come to the same idea themselves. Therefore we find very little trouble with the spawn lobster. As for other years, there is no spawning ground and the lobsters don't appear to spawn. We find very few spawn lobsters, I think. The first week we start in May, we see no spawn.

Q. And the practice of washing the eggs off the spawn lobster has not been followed by the fishermen down your way?—A. No, it has not. They throw them away, we will not take them.

Q. Do you think the fishermen are beginning to realize the advantage of doing that?—A. Yes, they are beginning.

Q. Do you think it would be a serious matter generally for the fishermen to do that; the percentage is not so large all the season through, it comes in runs of course, could it be done?—A. I think it could be done if there was a law compelling them to do it.

Q. The law is there now, but it is not enforced?—A. Not enforced.

Q. Have the regulations ever been enforced?—A. To a certain extent they have there. The inspector comes around and makes us throw away the small lobsters and the spawn lobsters. We had to do it on account of his coming around at first. We stuck up a notice in the factory.

Q. Has anybody ever been fined for violating the regulations?—A. No.

Q. What is the smallest size at which you have ever known a female lobster to carry eggs?—A. Well, I could not answer because I have never measured them, in fact I bother very little with the berried lobster.

Q. Do you think there is any part of the season when lobsters are not fit for food?—A. Yes, I believe at this time of the season they are not fit by reason of shelling.

Q. How would it affect you if the regulation as to size limit were strictly enforced?—A. It would affect us in this way: It would be of no use to open the shop at all.

Q. If you refused to accept undersized lobsters from the fishermen what would happen to them?—A. I don't know what would happen to them, the government would have to feed them.

Q. They would have to give up?—A. Yes.

Q. Do you think that regulation has ever been strictly enforced within your recollection?—A. Not to my knowledge, it has never been strictly enforced.

Q. What would you think of the proposition requiring the canner to pay an increased fee, instead of 2 cents a case as at present, and in that way realizing a fund

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for the purchase of the seed lobsters from the fishermen?—A. What would be the idea of that?

Q. With the object of returning the berried lobsters to the water or putting them in pounds.—A. There is no chance of pounds there.

Q. Well returning them to the water?—A. You would be paying for the same lobsters probably a hundred times in the season.

Q. What is the fishing season with you?—A. From the 20th April to the 10th July.

Q. When do you generally get your gear out?—A. Anywhere along from the 5th to the 10th of May.

Q. Are you much bothered with ice in your neighbourhood?—A. Very much.

Q. What is the percentage of loss one year with the other with gear?—A. Our percentage of loss down there at Cape George is quite a lot. This year we have lost nearly half our gear by storms, and more springs with ice. We always lose anywhere from 1,000 to 1,500 traps. I am safe in saying that.

Q. Every season?—A. Every season.

Q. How many traps are you supposed to put out altogether?—A. We fish twenty-six boats there and we make an average of 150 traps.

Q. The fishermen fish their own gear?—A. They fish their own gear.

Q. How do the lobsters run in your case, what number of lobsters will it take to fill a pound tin?—A. From four and three-quarters to five.

Q. What style of trap are you fishing?—A. We fish the old two end trap altogether.

Q. How is it they never adopted the wheeler or parlour trap in your neighbourhood?—A. They were never introduced and they are a very expensive trap to make.

Q. What is the difference in price?—A. That I could not tell you because I never made any.

Mr. ATKINSON.—About 40 cents. We put the parlour trap at \$1.

The COMMISSIONER.—And the other at 60 cents?

The WITNESS.—To those having out their own gear they come a kind of expensive.

By the Commissioner:

Q. What space is left between the slats of the traps fished in your locality?—A. I guess about an inch. It is just about the thickness of the pole of a hatchet. That is the gauge.

Q. They have always allowed the same limit?—A. Always.

Q. It was never any larger in the beginning?—A. No.

Q. Do you think it is in the interest of the lobster fishery that lobsters should be taken before they have reached the age of maturity, or the age at which reproduction takes place?—A. Well, I don't know that it is anything to the interest of it. That is as to the size you mean?

Q. Yes, do you think it is in the interest of the fishery that the practice of taking undersized lobsters should be allowed?—A. Well, as far as anything under seven inches, as a rule I don't think they are very often taken.

Q. Do you think if they are taken, it is right to do so?—A. I don't think it is, because it is of no advantage to the man that takes them and no advantage to the packer.

Q. But is it not ruinous to the fishery?—A. I don't see why it would not be.

Q. If you kill off the young in any flock how are you going to get any adults?—A. That is true.

Q. Have you any knowledge of the matter of hatcheries?—A. No.

Q. Would you advocate an increase in the number of hatcheries?—A. Well, I think the hatcheries are all right enough. The one out here at Bay View seems to give good satisfaction.

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Q. Is it the case that canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen?—A. It might be so in some places.

Q. If you were strict would you not be afraid that your fishermen would go to some one else?—A. I would not be afraid because I have never known them to kick about it.

Q. Are you so well situated that the fishermen could not go to other people?—A. Yes, but other people won't take them either.

Q. What do you think about fishermen taking out a license to pack?—A. In some places it is all right. You take a place like Ballantyne's Cove where the fishermen all belong there and are natives of the place—where we don't have to import fishermen—it would be all right in a locality like that for fishermen to take out a license. That would be the way to stop taking spawn lobsters. In other places where they have to import fishermen I don't see how it would work at all. I think that in the case of berried lobsters there ought to be some restriction placed on the fishermen as well as on the packer.

Q. You think it is more easy for the fishermen to cull the berried lobsters out when taking fish from the trap than it is for the canner to inspect them at the factory?—A. Certainly it is.

Q. Are the berried lobsters in such a condition when they reach the cannery that they would not live if put back in the water?—A. They would live all right.

Q. They are lively enough?—A. Yes, but there should be restrictions laid on the fishermen, say a fine of some kind.

Q. The law provides that?—A. If that were done it would be more benefit because a man could say: 'You will pay a fine for bringing in these lobsters.' When there is no restriction the fishermen do not care so long as they can get them out of the way and get them away.

Q. What do you think of these various propositions that have been made to improve the fishery and bring about a change; for example that of closing down altogether for a term?—A. I don't think that would help it any. It would be more ruinous than to keep on.

Q. What about the proposition to close down by sections?—A. I don't see that would be any better.

Q. Another proposition is to do away with the size limit, and if possible so regulate the traps as to allow a fair proportion of small lobsters to escape, and somewhat shorten the season?—A. The fishermen down there want the ten days taken off April.

Q. They want to fish beginning the 1st of May?—A. That is what they want down there and they are agitating all the time because it is no good to them.

Q. What do you think of the matter of licensing canneries; are the present regulations restricting the number of licenses satisfactory?—A. I think so.

Q. Do you think there is any good reason why any man who shows his competency to can should not be given a license?—A. I cannot see where there is any chance for a man who wants to pack lobsters—where there can be anything in it for him or the fishermen to start a new industry.

Q. What do you think about insisting upon the cannery being up to a certain standard of fitness?—A. I think it is a good idea. Burnham & Morrill have their canneries up to standard as closely as possible to what is called for. They have the tables covered with zinc and they use wooden racks to keep the meat off so as to prevent any smell. They have all block tins to put the meat in so that it won't turn, and keep everything up to date with that object in view, and they have their shops according to the best standard of lobster canning. For the rest of them I don't know.

Q. Now, here is a question that you have practically answered already: Could not the fishermen make more money if they were allowed to can?—A. I think they are making more now than the packers at the present time.

Q. What do you think of the policy of encouraging fishermen to co-operate in the canning?—A. I don't think it is a good idea.

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Q. You have no co-operative canneries down your way?—A. We have not any. I know how they co-operate.

Q. Is it to your knowledge that the fishermen complain they are not getting a sufficient price for the lobsters?—A. It has always been the case since I have been in the business. They have always growled that they were not getting enough.

Q. Is there a fishermen's union in your locality?—A. Yes.

Q. How do you establish the price in your case?—A. We paid last year \$3 and \$3.50. This year \$2.25.

Q. Did that satisfy the union?—A. That satisfied them. They all went to work and fished, and they were better satisfied this year than when they were getting \$3.50 or \$3. They humbugged in the spring and they lost a good part of the time. Then we had to close up, and then, after the closing up they asked to have the shutters taken off and went to work and fished. They saw where they were misled. They realized that.

Q. Is there any chance of making a pound in your neighbourhood?—A. No chance of getting a car even.

Q. Is there any fishing done after the close of the season?—Not to my knowledge.

Q. Is there much gear abandoned in the water?—A. Not that I know of, not by the owners themselves. They bring everything ashore.

Q. What do you think about the method of stamping the cases; does it fill the bill?—A. It does not do any harm. If there is a case of lobsters to be shipped out of a factory to its destination, I don't see why it could not be done just as well without a stamp.

Q. Is there any statement you would like to make?—A. There is only one thing, and that is about the question of spawn. Where there are no hatcheries we don't take the spawn. There ought to be some restriction on the fishermen even if they have to be fined. I think a fisherman that finds his gear would have 500 or 600, or it may be 1,000 pounds of lobsters in his boat to come to the factory. Well, you have a man or two at the wharf. I will have men picking them over to see if there are any spawn or undersized lobsters.

Q. You think the culling of lobsters should be done in the boats, and the spawn lobsters should be put overboard where they belong?

Mr. CORBIN.—The practice is to give the fisherman a box so as to put the berried lobsters to one side and save the difficulty and bother of culling them when they come in, and those lobsters are weighed separately.

Mr. ATKINS.—I do the same thing.

Mr. CORBIN.—It saves a lot of bother.

The WITNESS.—I gave the fishermen a crate down there but they did not want to take it. However, they have come to give more attention, especially this last few years, and to liberate these lobsters. I don't think there is a man that has washed the spawn off, for I could not say how long. They see it is not to their interest to do so.

By the Commissioner:

Q. On what kind of bottom are you fishing?—A. A mixed bottom, rocky bottom, and broken mud and hard bottom. Off at the point of the Cape it is all a hard ridge along there. We got some very good lobsters this spring around that point.

Q. Have you taken large lobsters lately?—A. The lobsters there this spring were large until the storm came.

Q. What is the largest lobster you have seen down there?—A. I have seen a 12-pound lobster at Ballantyne's Cove, and a lobster 15½ pounds at Morristown, ten miles above Ballantyne's Cove, which was accidentally caught by the claw in the laths.

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Q. What is the diameter of the hoop in the trap?—A. Four and a half inches, I think it is.

Mr. CORBIN.—We had a lobster of $9\frac{1}{4}$ pounds that was taken up to Ottawa by Mr. Cunningham, and we had another $12\frac{1}{2}$ pounds, I think it was.

Mr. ATKINS.—Two years ago we had a lobster of $12\frac{3}{4}$ pounds which was caught in the hoop. It was the broadest lobster I ever saw. It was three feet in length and three feet from claw to claw. Next day they caught his partner. He weighed $11\frac{1}{2}$ pounds.

Witness discharged.

Mr. GEORGE W. ATKINS, recalled.—With regard to my loss from traps, I would say that my loss at Little harbour was 900 traps and a new boat. The other boats were smashed considerably. I think my loss at Little harbour amounted to \$800. There was a storm on the 24th of May, and another storm on July 8th.

Witness discharged.

WILLIAM MCCLURE, shipowner, Pictou, called and sworn:—

By the Commissioner:

Q. How many years experience have you had in lobster packing?—A. Twenty-five years.

Q. You went out of the business how long ago?—A. Two years ago.

Q. How many canneries did you run when in the business?—A. I formerly started in Prince Edward Island and moved to Pictou Island where I began with one small shop, and finally I bought out the Pictou Island packers, one after the other, until I got control of the whole place. There were seven factories all told. I condensed the business and reduced it to two factories, one at the east end and one at the west end. I thought I was getting control of the business in that way by getting all the rest of them out. Then Logan of Caribou went over and built a place alongside our factory. At first he could not get a license but eventually he squeezed one out. I got disgusted. After it got on that way it became a matter of whether I would not increase the quantity of traps. Where you had opposition the man who had the most traps got the most fishing.

Q. What was the extent of your pack?—A. The last year that I was in the business we packed about 3,000 cases on Pictou Island, the year previous about 3,500 cases.

Q. When did you begin to pack?—A. In 1884, I think.

Q. What was the state of the fishery then?—A. When we went there first it was simply a matter of trying to put them up. We had a factory on the High Bank shore and there never was any fish there, it is bold water. We had a few at first and then it gave out. Then we moved to Pictou Island where we started a small factory. The trouble was to put up the fish at that time.

Q. There was no bother catching them?—A. No.

Q. My idea in asking the question was to try and compare the condition of affairs then with the condition of affairs now, as far as the fishing is concerned.—A. There was no comparison at all, that is you really can hardly figure it out. At that time it took about a lobster and a half to two lobsters to a can. To-day I don't know what it takes, the fish are very much smaller. A thousand lobsters at that time, and they were all taken by count then, was a very much different matter from what they are to-day. Had the regulations been carried out right at the start and the number of factories limited in some way, the law could have been enforced. As it stands to-day

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if the law were enforced strictly as to size limit it would shut every one out. At that time I advocated the only thing I saw possible for the preservation of the lobster and that was to shorten the season. My idea then was to shorten it to the 1st of July, I was satisfied to shorten the season right down. I was the only one though at that time and Professor Prince—the way we arranged it we called a meeting. I presented a typewritten statement. It was asked how would it do to close down for three years. I said to Professor Prince that it was all right, that it would save the fish. He said it would clean the market up and fish would be larger. I replied yes, but it would cost a lot to indemnify the packers. I do not believe it is possible now to carry out the law as regards size limit; in fact I know it is not. The only thing possible that I can see is to shorten the season.

Q. Do you think it is not possible to insist upon a certain type of trap with a certain space between the slats and the mesh, so that at least a proportion of the small lobsters would escape?—A. That is an endless job to do. It was done one year some years ago, the laths had to be so far apart and the bows all marked. The trouble was the fishermen would take out laths in their boats and close the traps up when they got out to the ground. The boats carry laths and they would fix up the gear and you would never know where you are at. That is the trouble I see; of course it would be a protection.

Q. We find the laths of the modern parlour trap only half an inch apart and the trap holds anything that comes in.—A. It takes the whole thing. When we started first we would not get lobsters at all in the traps that were used. We had a trap with a bow four feet long and a great big mesh and you could only take a dozen on a boat. We never had any small lobsters at all. Then we commenced reducing the space between the laths and the mesh finally, and the parlour trap was the finish.

Q. There are some men who fish both kinds of traps and they tell us they get a very much larger run of lobsters in the old fashioned trap?—A. Undoubtedly.

Q. But the merit of the parlour trap is that they get the lobsters on Monday, if they do not go near it for a day or two; the lobsters are still there?—A. That is correct too, there is no doubt about that. That is the benefit of the parlour trap.

Q. That was the object of it?—A. Undoubtedly.

Q. They are making the trap more complicated every day?—A. All the time we are getting more of these parlour traps. My candid opinion about the thing is I would not have sold it out if I thought the business would continue because I had it right down as fine as I could get it. There are a good many people packing lobsters down about the Magdalen Islands. It is a pity to see that where people could be making money they lose it all by not putting up good goods.

Q. What do you think of the present system of licensing canneries? At present the issuance of licenses is limited to co-operative associations, that is where a group of fishermen who are not satisfied with their treatment by the canner co-operate together and go in for canning themselves and are granted a license by the department?—A. That is a pretty hard thing to fight against because in some cases where there is a combination—Mr. Venning when he was down, and I got control of Pictou Island, came right at me with that. He said: 'The government is against any one controlling a certain situation as you want to do there.' I said: 'You are on a mission to the Magdalen islands. Go down to Pictou island and take the evidence of our own men and if they can get any more money and are not satisfied cut me out in some way.' The hatchery I saw was the only way that would really save the spawn, and when it started I insisted upon my fishermen saving the spawn lobster. It took a year to get them to do that. Without hatcheries there would be no spawn. So there are so many different things to be considered. In the matter of limiting the number of licenses, new licenses are practically ruled out except in the case of co-operative associations.

Q. We have heard of instances where men went about and got the fishermen to come together and obtain a new license?—A. Yes, and got it in that way.

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Q. Whereas there was nothing of the co-operative character about it at all?—A. Excepting the name, it was only a blind.

Q. It seems to me the thing requires to be governed in some way, it ought to be possible to insist upon a standard cannery.—A. That is as important as any part of it. I was in London for about a fortnight last winter and I went into the big wholesale houses where they handle the goods, and there were thousands of cases left unsold or selling as low as 40 shillings. And yet good goods were wanted and they could not get them. If you had No. 1 goods there was no trouble about getting a good price. Poor goods you couldn't sell at all. So there should be some way of getting over that. Of course the matter is pretty hard to fix. At first, in the inception of the industry the very moment I left my factories, even in charge of the best men I had, I found they would not take the care that was necessary. See them down at the Magdalens with the old sour boards in the factory; they have been there for ten years. Some fifteen years ago I had a complaint about smut. No one could account for it. I asked a gentleman in London to get a chemist and give me the cause of this smut. I was told it was because the lobsters had become heated and gone through a certain stage of decomposition, which might not be detected, and that the meat had gone through this stage before being put into the can. I could not understand that except we were packing as high as ten tons of lobsters a day and we could not put them up, and these lobsters were let lie in hot weather. After that I never let them lie over. The packers formerly left their fish like to-day to cool and packed them to-morrow. We always turned them right out of the boiler and directed the hose on them and cooled them off, and the quicker they were in the can the better.

Q. Were you the only one troubled with smut?—A. We never had any trouble with it.

Q. Apart from insisting upon the cannery being up to a certain standard do you think there is any advantage in requiring an inspection of the product?—A. The only thing is would that remedy the pack.

Q. The goods would be classified according to what they were?—A. It would need an expert to do it.

Q. The idea is that the inspection could be carried out by the existing staff of fishery officers?—A. It could not, it would need special men. It comes down to a scientific thing almost, the preserving of that food in such a way that it will keep and still not be discoloured or anything else. Of course there is one cause I think; it is the quality of the tin used. Now I have been using what they call double dipped charcoal tin the last two or three years I was in the industry, and paid a duty of, I think, two or three shillings a piece extra. We got a specially made tin through the brokers right direct from the tin works. I found it paid me to expend a little more for my tin. You see there is quite a difference in the quality. In selling if you have a poor quality of tin you have got to use other materials to compensate for it. Another thing, they use a coarser grade of solder. All this works against the business. This year I saw a lot of goods at Halifax, and among some, bad stuff that was smutted and all black and discoloured. I think a good deal of it is owing to dirty factories and sour tables. The chemists say that the lobster meat is like a sponge, it will absorb even the air, and anything like that deteriorates very quickly.

Q. Can you give me any idea of the proportion of berried lobsters to the hundred in your experience?—A. They are limited. I have seen us take in 10,000 or 15,000 lobsters, and some times there would be quite a few and at other times very few. Perhaps you would have half a dozen out of a barrowload and sometimes you would get a dozen. I really don't know what the proportion would be but it is surprisingly small.

Q. Yes, because you see one half the lobsters must be male, and of the females only a small percentage of them have the eggs extruded, so that naturally it would not be more than 25 per cent at the very outside?—A. It would not be that. The way we have got the thing to work, we arranged with our men in every boat to keep

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the spawn lobsters by themselves and we would sometimes have a quarter of a barrow-load or so.

Q. That is what makes me think it would be possible to induce the fisherman to return the berried lobsters to the water because the percentage of loss to him would not be serious.—A. It would be very small.

Q. Some people have suggested educating the fishermen in the importance of this matter?—A. It is awful hard to persuade the fishermen.

Q. They are apt to be careless?—A. It is only the present moment they are thinking of.

Q. Still in spite of that I believe there is a growing feeling among the fishermen and they are beginning to appreciate the importance of this matter?—A. If you once get them going, it is not a bit of trouble. We had to go to the bother, but we followed it up. I said: 'It is our bread and butter, and if the lobsters go everything goes.' After a time they would be as careful as possible, they got interested in it.

Q. Do you know anything about pounds?—A. I really do not know anything about them, but they should be all right.

Q. It seems to be the most perfect way of providing for the breeding lobsters?—A. It is, there is no doubt about it. There are only certain locations where you can secure suitable places.

Q. I suppose it is safe to say that the regulations governing the lobster fishery have never been strictly enforced?—A. They have never been strictly enforced.

Q. There was a time when an effort was made to enforce them?—A. I was in the business then and the inspector at Pictou island got strict orders in the matter. At that time the fish were really good and the regulations could have been enforced. Mr. Campbell came out and followed the regulations up good and hard. The first day he came out I asked him to have some dinner. He was one of those stiff old-fashioned Scotchman and he said: 'No, no dinner.' He stayed there quite a time and he made them put out all the small lobsters. I said to them: 'Put out the small ones and I will pay you for them.' The second day there was some more and the third day the fishermen all struck. At Caribou fishing on a sandy bottom and in shoaler water there was a smaller run of lobsters. The officers caught them on the cooler and fined the packer for them.

Q. Can it be laid down as a rule that late in the season in shoaler water you get a smaller run of fish?—A. I always found that the shoal water is where you get the small fish.

Q. When you first began fishing in the spring in deep water you got a better run of fish than you do later?—A. Yes.

Q. It is natural I suppose that you get the big fish first?—A. Undoubtedly you get the big fish first.

Q. I suppose there is no doubt the present condition of the fishery is due to overfishing?—A. That is what I would imagine. They are claiming that the fish are just as plentiful. Well, in numbers they may be.

Q. Do you think there is any reason for having a smaller size limit in one region than in another?—A. I don't think so.

Q. I suppose where the live lobster trade exists you can enforce a larger size limit?—A. That is a different matter altogether.

Q. There is no doubt that on the southern Atlantic coast the live lobster industry is the principal one?—A. Yes, undoubtedly.

Q. And there the handling of live lobsters should be encouraged even if the canning suffers?—A. Yes, the quantity they get hardly entitles them to fish any other way. The canning is only a secondary affair.

Q. I suppose a strict enforcement of the 8-inch size limit would put the cannery out of business?—A. It would put them out of business, there is no doubt about that.

Q. In regard to the opening date. Here they want to have the 1st of May as the opening time, but that is merely to protect their gear and to have a little more order

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perhaps among the fishermen, is it not?—A. As a rule, you see they do not really get going before the 1st of May. There are many things that would act differently. In a good many cases the packers have their men come on here from the south shore. Those men are practically on pay and the canners have got to feed them anyhow. Provided the spring is late and the packers bring them on, those men would be round for two or three weeks. When I was in the business I did not board my men. I gave them so much a hundred and they found themselves so I did not care how soon the fishing came. There are many things like that which make a difference. If I had my men on the same lay as people who are boarding them and all that, it would be different altogether. One great thing, I have seen them darting around the ice and standing a chance of losing their gear. When the open season comes there are always men who will run great risks by putting out their gear. If you do that I will want to do it, and in that way it is a starting point. However, they should start sufficiently late to be clear of the ice.

Q. The season begins here 20th April?—A. We hardly ever did anything before the 1st of May and we have been as late as the 1st of June.

Q. The fact of getting out late at the opening of the fishery has no bearing on the protection of the industry?—A. No, the best fishing we ever made was beginning the 5th of June. They ran out to June, July and August. It was a September season. If you are a little later in starting, the lobsters hold out a little longer. I would think the season should begin the 1st of May and end on the 1st of July.

Q. And you think it will be wise, in view of the fact that it is proposed to do away with the size limit, to try and enact some regulation as regards the traps; how would it do to revert to the old fashioned trap altogether?—A. It is going to be quite a contract to figure that out. There is no doubt the parlour traps get the whole thing.

Q. Do you think the fishery has reached a low ebb as is the opinion of a great many people?—A. Not at all. This has been an off season. It has been terrible weather but in some places they have done just about as good as they did last year.

Q. The question is, would it be an unfair enactment to condemn the parlour trap?—A. There is no doubt it would be a big protection to get the parlour trap done away with. It is just a matter with this parlour trap of cleaning the ground up very much quicker. Where you have parlour traps you are going to get more fish. I have none; but eventually if the parlour trap is better I will get it. I have been talking with several who have used them: 'I have 500 parlour traps and if we did not have them we would not have done as well.' It is just a matter of catching everything that comes in.

Q. What do you think of the live lobster trade?—A. Delaney Bros. tried the live lobster trade at the Magdalens and sent up five cases. But they missed the express. They had not any arrangement to get the lobsters right through; in fact previous to this the boat never got here in time in the morning and the express did not take anything until the afternoon. I have tried it twice but a good many died. I don't think there would be any difficulty in carrying on the live lobster trade, provided they had a car to put them in when they arrived. In the lot I packed there were some dead ones, we picked them all over. There were none in extra good shape but there were only five out of some 200 and odd that were dead.

Q. Does not the lobster deteriorate when he is out of the water; if you boiled the lobster on the coast and shipped him refrigerated to market, would he not be in better condition?—A. That would be all right.

Q. Do you not think that in that way you would get a more perfect article?—A. You would undoubtedly. The live lobsters arriving here are in bad condition; you might as well put a lot of cattle in a car and starve them for three or four days. I have a brother living in New York, and they had some few traps there and they would get any price they liked for fish right out of the water. That is a different matter from our live lobster trade. Cold storage no doubt is the way to handle them.

Q. Would you give a license to pack to every fisherman that applied for it?—A. I would to certain men who would pack carefully.

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Q. Is the matter of prices a thing that regulates itself, or is there a combine among the packers to fix the price?—A. There is no combine. The fact is, as a general rule, it is a fight among the packers to see who can beat the other out. I have never known of any agreement as to prices. There was only one time I ever made any agreement, and afterwards I found that some of my best fishermen were gone. They were cute enough and able enough to take advantage of the situation.

Q. As to hatcheries, would you recommend an increase in their number?—A. Yes, I have great faith in the hatchery. There may be a lot of spawn destroyed, but there must surely be a big percentage that is saved.

Q. There should be somebody in charge who will take an active interest in the matter?—A. Undoubtedly. It is a thing that wants very close attention.

Q. The creation of an Advisory Board in connection with the administration of the lobster and other fisheries of the maritime provinces has been suggested; what would you think of the idea?—A. I think it should be placed in the hands of the people that are right in touch with the industry the whole time.

Q. Do you know if there is much fishing after the season in this neighbourhood?—A. Not very much.

Q. In some places there is a good deal of complaint about the enormous amount of gear that is abandoned in the water; do you think that has had an evil effect?—A. I don't see that it has, any more than the loss to the man that owned it.

Q. Those traps must break up and disappear?—A. Yes, I don't think that would have much effect.

Q. Has the system of stamping and labelling the cases proved to be the restriction it was intended to be?—A. Well, if it is strictly carried out there is no doubt it would. I know some time ago the officers were not so strict in putting the labels on, but now they won't give the labels.

Q. At one time they used to leave the packets lying around in all directions?—A. Yes.

Q. In spite of all their strictness, it is claimed in some places that a lot of lobsters caught out of season have been labelled and that there is much fraud in connection with it?—A. There is a certain little amount, but I think it would not amount to much.

Q. Do you know anything about fishing in bays and lagoons. They have prohibited fishing in lagoons at the Magdalen islands because those places are breeding grounds for the lobsters?—A. I have heard a good deal of talk at the Magdalens. Some were in favour of that and some were not. There is no doubt the spawn lobsters get in places like that and probably that is about where they breed.

Q. No doubt the fact of the fishery being in a good state in the Magdalen islands is due to the fact that the lobsters have those lagoons in which to find a retreat?—A. The lobsters are large in the Magdalen islands from what they are on this coast. From London, on one occasion, I had a letter asking if we could get No. 1 goods with good large meat because they had so much of the small stuff. At Pictou island, when we started first, it took just a lobster and a half to a pound. We could not get the claws and tails into smaller tins than pound flats. But they say that there is relatively more meat in small than in large lobsters, that if, you buy a hundredweight of large lobsters and the same quantity of small lobsters, you will get more meat from the latter in proportion. But I would not prefer to have the smaller lobster because you have not got the goods when canned. Larger fish are the profitable goods to buy. When we were in it at first we did not bother picking the arms. We were paying 50 cents by count and getting \$4 to \$5 a case, and a few hundred pounds of lobsters at 50 cents by count per hundred did not amount to anything. The meat of the lobsters was large and easily washed and handled. At Murray harbour, twenty years ago, we used to gaff the lobsters off the rocks in two or three feet of water. You do not see those lobsters to-day, they are no doubt

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caught up outside. At Murray harbour, off Fisherman's Bank, eight or nine miles off, there must certainly be a great breeding ground. They have taken an immense quantity there, and the boats are always going outside a little farther. Where there is a straight shore line and a bold coast they cannot do that. One man built a factory, put out 1,200 traps and put up 2,000 cases about 27 or 28 years ago. They were in a general business and this was a side show. The next year they put 3,000 traps out and all they caught was 200 lobsters.

Witness discharged.

Committee adjourned.

PORT HOOD, August 10, 1909.

A. J. MACDONALD, Packer, Seaside, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. It is 22 years I think since I first started. I have been idle for two years during that time.

Q. But you started up again?—A. Yes.

Q. Are you interested in more than one cannery?—A. One only.

Q. What number of boats do you fish?—A. Very few boats this year. I only started in the 1st of June this year. The union organized here and I did not know that I would be able to get any lobsters at all. After a while things got settled down.

Q. What would be your average number of boats when you are in full blast?—A. 25 boats.

Q. Do you use your own boats and gear or do the fishermen own them?—A. The fishermen own the boats and gear now.

Q. What arrangement had you with the fishermen, were they paid by the hundred weight?—A. Yes.

Q. What price did you pay them this year?—A. \$2.50. Last year \$3.75, and the year before that I think it was \$3.50.

Q. What number of hands do you employ in the cannery, men and women?—A. Well I did employ at one time about 20 girls and 15 men. Now I don't employ quite so many.

Q. What was your pack this year; you only began on June 1?—A. 61 cases.

Q. Last year what did you pack?—A. I don't remember exactly, something over 100 cases.

Q. What is the largest pack you ever made?—A. It would be 1,200 cases.

Q. When was that?—A. About 15 years ago, I don't recollect exactly.

Q. Do you find much difference between the lobsters now and those you used to get when you made that pack 15 years ago?—A. Well they might be a little smaller. I don't see that there is very much difference in the last few years. Before then, up to 15 years ago, I think they were a little larger than they are now.

Q. That is the general experience, they have run down?—A. Yes.

Q. As a rule when do you begin fishing here?—A. Generally about the 1st of May, as soon as the ice goes out.

Q. Is the ice late in leaving you sometimes?—A. Sometimes it is. It is not very often that it stays past the first week in May I think.

Q. When is the best time of the fishing here with you; you fish from the 20th April to the 10th July?—A. The best time of the fishing is generally a week after

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they start in, or two weeks. About two weeks after they start in they generally got good fishing.

Q. Do they fish in very deep water?—A. Not all of them.

Q. What would be the average depth of water?—A. From one fathom to 15 fathoms.

Q. Where is the bulk of your fishing done, in St. George's bay?—A. Yes, out here. It is all done here.

Q. Do the fishermen remain fishing on the same ground all through the season, or do they come into shoaler water as the season advances?—A. Yes, they come into shoaler water.

Q. Do you find much difference between the run of fish you get in deep water and those caught in shoal water?—A. I don't think we do, not very much.

Q. Are you pretty careful about not accepting berried lobsters?—A. We have been lately. The fishery officer here won't allow us to move unless we look out.

Q. What do you find the average percentage of berried lobsters to be, how many out of a hundred?—A. I could not say, but they are very scarce this year because I advised the fishermen not to take them in.

Q. Are the fishermen in this neighbourhood, do you think, learning to throw them overboard?—A. Yes, they have, because we told them we would not take them. We go over them here. Mr. MacLean told us to be careful or else we would have to stand a fine and we were careful.

Q. Do you know whether the fishermen here have learnt the practice of washing off the eggs from the berried lobsters outside?—A. I could not say whether they have or not. I never saw them at it although I heard there is a way of doing it.

Q. You have been refusing to accept berried lobsters and the fishermen are careful not to bring them in?—A. Certainly, and I have been advising them not to take them right along.

Q. And the same with the very small lobsters?—A. Oh, yes.

Q. What trap do you use here?—A. I don't know what it is called.

Q. The old fashioned double ender?—A. Yes.

Q. Have you any idea of the space the fishermen allow between the slats?—A. I suppose about an inch and a half probably.

Q. That is a very wide space?—A. It may not be, no it is not that much. I think an inch is handier.

Q. We would like to know your views as to the best regulations to enforce. Many propositions have been submitted, including one to close down altogether for a term of years. Here, owing to the fact that you have observed the law, you do not feel the decrease of the fishery as much as they do in some places, I expect?—A. I do not suppose so.

Q. Well it has been proposed by some people to close down altogether for a term of years?—A. I would not approve of it.

Q. Then again the Lobster Commission of 1898 recommended closing down by sections, shutting down for a couple of years in one place and continuing to fish in another, and changing those sections from time to time; what would you think of that?—A. I would think if we go along as we are doing now and save our berried lobsters and look out for the small lobsters, we will not get any less lobsters for years to come than we are getting at present.

Q. The size limit regulation is very difficult to enforce?—A. Yes.

Q. It has been proposed to do away with the size limit, which of course is 8 inches, provide for the care of the berried lobsters—where it is possible to establish hatcheries or pounds—regulate the space between the slats of the trap so that any unfairly small lobsters may escape, and to some extent shorten the season, say to the 1st of July?—A. I think that would suit here all right. We only fish up to the 1st of July.

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Q. Of course if you are fishing the double ender trap you are not using one that's very destructive?—A. No.

Q. But in many places they are fishing a new trap which allows nothing to escape.—A. Our trap cannot be very destructive I do not think, because our fishermen find, when they leave their traps two or three days without being hauled and with no bait in them, the lobsters will go out.

Q. The proposition just mentioned would not be too severe you think?—A. No, sir.

Q. How would it affect you to enforce the present size limit of 8-inches?—A. I would not like to see it enforced I don't think. The main thing is to look after the berried lobster.

Q. And not have too long a season and look after the close of it?—A. Yes.

Q. And protect as far as possible the small lobster?—A. The very small lobster, because there is nothing in it for the packer or for the fisherman.

Q. Now as to the present method of issuing licenses; do you think the department are wise in restricting the number of licenses as they have been doing; are there licenses enough?—A. I think there are fully enough, that is my opinion.

Q. As to the matter of co-operative licenses what do you think of the department's policy? At present where fishermen are dissatisfied with the conditions and a number of them will unite together and demonstrate that they can carry on packing, the department will issue a canning license to them. You have one here I believe?—A. Yes, sir.

Q. What do you think of that policy?—A. I daresay it is good to have a license if they can better themselves any.

Q. Of course, the fishermen complain it is unfair that a license should be granted to one man and not to another?—A. That is true.

Q. The fishermen complain, moreover, that there is a combination on the part of the canners to keep the price down; do you believe any such combination exists?—A. I don't know that it does, I don't believe there is any such combination existing. I am not sure, there may be something like that amongst them, but I never heard it.

Q. Do you believe the price the fishermen are getting is a fair one considering the state of the market?—A. I believe so.

Q. When the market warranted it the fishermen got more?—A. They got more than the market warranted sometimes.

Q. It has been suggested by some people that another way of getting the fishermen to observe the law would be to license them; do you think there would be anything gained by that?—A. Licensing the fishermen?

Q. Yes. The theory of those who advocate the proposition is that if the fishermen take out a license they will observe the law better?—A. That would stop them altogether.

Q. You think it would be more apt to stop them altogether? In a great many places, I need not tell you, the berried lobsters go into the pot, with the berries on or brushed off; in the majority of places there is no distinction made, the law is not observed?—A. There is no question about it.

Q. Would the fishermen, in your opinion, make more money if they were allowed to can for themselves?—A. Well, I don't know. It is possible they might have made a little more money down here this spring if they had packed for themselves.

Q. But as a general rule what do you think?—A. As a general rule I don't think so, I don't think they would.

Q. Do you think it would be wise or right to establish a standard of fitness for canneries, to insist that the cannery should be up to a certain standard of fitness, that the tables should be made in a certain way, and covered with a certain material—in a word that precautions should be taken for preserving and protecting the product so that it shall be as clean and as nice as possible?—A. Canned lobsters have got to be kept clean now or you cannot sell them. I don't see why any table, even if made of

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wood, cannot be kept clean if you use water enough—on a wooden table covered with zinc or galvanized iron.

Q. In some places they are using plate glass now?—A. I suppose so, but that is not a bit better. You can clean tables thoroughly that are covered with galvanized iron or material of that kind. You must have them thoroughly clean of course.

Q. There are complaints that the market is being injured by carelessness in that respect?—A. I have no doubt, because people do not use water enough. You have to use plenty of water.

Q. Are you aware of any complaints made by fishermen that the price paid by the canner is not satisfactory?—A. They have been complaining some this spring.

Q. You had trouble with them this spring?—A. I did not have much trouble, because I was going to go out of it altogether rather than have any trouble. The fishermen were complaining a little but of course they all came into it at last. I believe that at last they considered they were getting all it was worth.

Q. Is there any facility here for carrying on the live lobster industry; have live lobsters been shipped from here to the market?—A. Not from here. I am not sure whether they tried it from the island or not.

Q. From your experience can you tell me anything about hatcheries; do you think they have helped to maintain the supply of lobsters?—A. That is my belief, but I know nothing of it.

By Mr. MacLean, Fishery Officer:

Q. Do you think if the fishermen were licensed, the law could be practically carried out here?—A. I don't believe it could.

Q. They fish in all sorts of ways and times?—A. Yes, and drop it when they please.

By the Commissioner:

Q. What kind of trap do you think is best adopted for letting the small lobsters escape?—A. I think the present one suits us and is just as well calculated to preserve the industry. It proves that it is, because the fish go out of the traps when there is no bait in them; there is a chance for the lobsters to get away.

Q. The appointment of a fisheries board to advise the department in connection with fishery matters in the maritime provinces has been recommended; what would you think of such an idea?—A. I daresay it would be a very good thing.

Q. Is there any packing out of season done here?—A. Not that I know of.

Q. Is there much gear abandoned in the water; we have heard complaints that the fishermen leave a lot of gear in the water when they knock off?—A. There is not much of that done here.

Q. Where they are using their own gear they are more careful than where the gear belongs to the canner?—A. I have no doubt they are not very careful, but there is not much of that done here.

Q. Is there any statement you would like to make of your own accord; I understand your opinion to be to leave the opening season very much where it is?—A. I think so.

Q. Is there any feeling in favour of a change?—A. Do you mean if there is any anxiety to have fishing done in September?

Q. We have not asked you anything about fall fishing; what do you think about opening up operations again in the fall?—A. Some of the fishermen tell me they would rather close up earlier if they can.

Q. What do you mean by that?—A. If they closed up at the 1st of July and opened up in the month of September. Some of the fishermen have been talking of that, not very many. They say they see lobsters about September.

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By Mr. MacLean:

Q. You remember about 25 years ago the season extended to the last of August and sometimes there was an extension to the 10th of September?—A. I think sometimes they fished right through, even when the time limit came to be law. I have an idea it was not very profitable.

Q. Owing to stormy weather and the fishermen prosecuting other branches of the fishery?—A. It might not be so profitable then.

By the Commissioner:

Q. It is not every place where you could fish in the fall; where you are exposed to westerly winds, you are out of it?—A. It is not very easy to carry on fishing under these circumstances.

Q. And the experience of canners is that the fish are not in as good a condition as in the early summer?—A. Of course this has only been a matter of some talk.

Witness discharged.

Commission adjourned.

PORT HOOD ISLAND, August 11, 1909.

A. W. MORRISON, fisherman, Port Hood Island, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. Twenty years.

Q. When you are not fishing lobsters do you carry on any other fishing?—A. Oh, yes.

Q. Do you carry on your fishing away off Port Hood Island?—A. I do my lobster fishing in St. George's bay.

Q. Have you always carried on fishing at this place?—A. Yes.

Q. Is there any station of the Fishermen's Union in this locality?—A. Yes, sir.

Q. Are you a member of that union?—A. Yes, sir.

Q. Has the union ever met or organized in connection with this inquiry; I suppose they knew this inquiry was to be held?—A. I don't suppose they did.

Q. Printed notices were sent to the member for the constituency and to the postmaster?—A. We never heard of it.

Q. Can you speak for the union?—A. Yes, I think so.

Q. Are there many other men engaged in lobster fishing in this neighbourhood?—A. Yes, sir.

Q. What is the total number so engaged; how many members of the union are there?—A. Eighty now. That includes Judique. There are about 100 lobster fishermen.

Q. For what factory do you fish?—A. Burnham & Morrill.

Q. How many boats do they employ?—A. About 40.

Q. Do they own the boats and gear?—A. No, sir, they are all owned by the fishermen.

Q. How far off shore do they fish and in what depth of water?—A. The farthest off in from 12 to 18 fathoms. There are a few fishermen in 18 fathoms, but that is not very far off. That would be half a mile off, I think. We don't fish that far off.

Q. Do they fish throughout the season in the same depth of water?—A. Not if they possibly can help it.

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Q. Is it their practice to move inshore as the season advances?—A. Yes, sir.

Q. As to your catch, is it decreasing or otherwise; what is the difference in the quality of the fish to-day compared with when you first began?—A. I don't think we ever get as good lobsters—well for the last 9 years I have the catches and have taken particular notice from year to year, and I don't think we ever got as large lobsters as we did this year.

Q. What has been your practice here with regard to berried and undersized lobsters?—A. Well we have not been very particular until this year. We would rather not take berried lobsters, but we were never very particular until this year. The union talked the matter over this year and we thought we would draw the line as far as the berried lobsters were concerned. Moreover the canners did not want them. They came to the conclusion I suppose that they did not help the pocket.

Q. You think the berried lobster regulation was pretty thoroughly followed out?—A. I think it was.

Q. And what about the regulation as to undersized lobsters?—A. I think they don't take them at the factories if they can possibly help it. In fact there are some of us who do not get them.

Q. Where would the canner draw the line?—A. At 7 inches.

Q. The legal size limit is 8 inches?—A. Yes, I know.

Q. What style of trap do you fish?—A. Well we fish the ordinary trap.

Q. The old fashioned double ended trap?—A. Yes, there are very few of what you call parlour traps here.

Q. What is the size of the entrance hoop, the ring?—A. Six inches I suppose; there is no particular size, some may have 8 inches.

Q. What distance do you leave between the slats in your trap?—A. We leave about an inch off and on, we have no gauge. I know I have left the lobsters in the traps this year, small lobsters that I did not bother with. I did that from year to year experimenting and I would not see those lobsters next morning. I have done that with 7 inch lobsters. I have done that regularly and I would not see them again.

Q. You think the 7 inch lobster will find it way through an inch opening?—A. I was going to say half an inch. It is incredible. Any kind of lobster will go through an inch opening, I don't know whether he goes through the end hoop.

Q. How many traps does a man fish here as a rule?—A. We fish a good many, I suppose 300 on an average. Some of us fish quite a lot but others do not, they have not the ground. I would say 300 on an average, not less.

Q. What is the arrangement made with the canner, are the fishermen paid by the count or by weight?—A. By weight.

Q. And what was the price paid this year?—A. \$2.25 per hundred.

Q. And last year what was it?—A. \$3.75.

Q. You understand that the price offered this year was because of a difference between the fishermen and the canner?—A. Yes, sir.

Q. The fishermen protested against the decrease in price did they?—A. It was a ridiculously low price compared with last year, it was only \$2 that was offered.

Q. Please explain to us what occurred?—A. Well the fishermen were organized and we were talking through the union. We could not get anything definite for a long time but we were allowed to believe that the price would not be less than \$3. We got our gear finished and ready for fishing, and nothing definite could be obtained until the season was just opening. Then Burnham & Morrill's representative came down and J. G. Rood, of Judique. Even then they did not want to state any price for us to go on. Still we felt we must have the price, so we called a meeting of the union, and Mr. Gunn, Burnham & Morrill's representative here, came and told us that the price would be \$2. The fishermen protested against fishing for \$2. We had reports from the markets, and from the Provincial Association, of which Mr. Scott was president. We also telegraphed Mr. Nickerson, at Cladk's Harbour, who was then in

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Halifax attending the sessions of the House. We telegraphed to Halifax asking for prices along the shore, of factories then in operation along the south shore. He said they were paying \$3. Well all told, from all these sources, we came to the conclusion that the canners were taking advantage of us, and giving us too low a figure. Then they came up to \$2.25. We found out that the Burnham & Morrill Co. were only giving \$2.25 at their factories in the Gulf, that is so far as we could find out, and they closed down one factory. They would not even give \$2.50. They came to the conclusion they would close down. I am positive they were going to close because I am personally friendly with the agent and he lived here. I was sure they were going to close. We had all our gear ready for the water and it meant quite a loss to us if we stayed ashore. There was a strong feeling in the matter and the union was bound to hold out. I may say I did not feel for a strike. I was only speaking for myself. Still I wanted to hold on to the union, and I wanted the union to hold on to me. The end of the matter was—I believed at the time and these men here will back me up in the assertion—that if it was not for the feeling of poverty prevailing, the factory would have closed down. However the friends thought they would fish and so all hands came in then. One of the directors of the union came across from the mainland and concluded we had better hang on to the union, not break up the union but fish, and we did so.

Q. Were the figures you have mentioned paid generally?—A. No, sir. Rood in Judique gave \$3, the very next factory, the second factory to us. The canners might have given \$2.50 but we only got \$2.25 from Burnham & Morrill. We fished believing they were still giving us too low a figure and we believe so still. The markets were low, there is no doubt about that, and seemed to be in a demoralized condition, but now we believe they were making a pretty good thing out of it.

Q. Is it your belief that there was a combination on the part of the canners to keep the price down?—A. Well, personally, no, but it is the feeling of the union.

Q. Is there any competition in the matter or are you forced to accept a certain price?—A. We are forced to accept it, we can prove it. We tried to sell our lobsters to others but they would not take them. They would not take our lobsters at \$2.25. We proposed selling them in any other quarter rather than accept the price of Burnham & Morrill, because they were able to pay as much as the others and the others were able to pay more.

Q. What had they paid the year before?—A. \$3.75.

Q. How long have Burnham & Morrill been canning on this island?—A. About 30 years.

Q. Are they the only people licensed to can here?—A. Yes, sir.

Q. Coming back to the fish, do you notice any difference in the quality of the lobsters you catch early in the season in deep water, as compared with those you catch later on in shoaler water; do you get the same run of fish throughout the season?—A. Yes, I think so.

Q. The fish caught early are not any larger or better than those taken late?—A. Yes, but we seem to follow the fish, we seem to follow the fish inshore.

Q. Do you get a smaller run of lobsters late in the season than you do early in the season?—A. I think that in general we do. A great deal depends on the grounds. If the grounds are rocky we get good lobsters. South of this part the lobsters are always better than in the north. There is all the difference in the world between the south and north just on account of the grounds.

Q. Have you any idea from what direction the lobsters come, do they winter in St. George's Bay or come from outside?—A. I could not say. I think we can prove that they winter. We fish for haddock in December, about three or four or five miles off, and we get lobsters regularly on the trawl on the hard bottom off shore and on the muddy bottom too. There was a nine pound lobster caught last December. That proves they were just off shore.

Q. Could you give me any idea of the percentage of berried fish you get throughout the season; what proportion will the berried lobsters bear to the rest of the catch,

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how many in a hundred?—A. They are a very small percentage. I find there would be in 207 pounds, 8 berried lobsters; in 250 pounds perhaps 10 and 11; in 196 pounds—we are just as apt to get more, that morning, perhaps—12, 13 or 14; but the percentage is very small. I have heard of one fisherman getting 22 out of 222 pounds.

Q. Is there any part of the season when you expect to catch more berried lobsters than in an other?—A. Yes, more towards the end, in fact we don't get any at the first of the season.

Q. What sort of fish are they generally?—A. Good fish.

Q. What was the smallest sized lobster you ever saw carrying berries?—A. I have seen very few less than 10 inches. They are so very few they are not worth canning.

Q. The limit is 8 inches but the lobsters here have been taken down to 7?—A. But there are good large lobsters, 12 and 13 pounds and so on.

Q. But as to the small lobsters, below the legal size limit, what would you say would be the perceneage of those taken in the traps?—A. This year I have taken notice. Have you the date at which the fish were measured?

Q. No.—A. I think we were about three weeks fishing when Mr. MacLean came over. At that date, personally, I did not see a 7 inch lobster myself.

Q. We saw the measurements yesterday and they formed a very good return.—A. Yes, it was all right. Although, as I have said, I think the fish this year were better than usual at that time, and on the outside island boats I did not see a 7-inch lobster.

Q. Owing to the confusion last spring you were late in beginning?—A. Yes, sir.

Q. When did you make your first catch?—A. On the 16th of May, but we could not have fished earlier. We lost about a week when the ice was running.

Q. And when did you knock off?—A. July the 2nd was the last catch that I have heard of, I think that was the last catch.

Q. Why did you knock off?—A. The factory closed.

Q. What caused it to close?—A. They thought they were not making any money. The fishermen dropped out. There was other fishing going on and it was hard to get bait. A great many fishermen dropped out and Mr. Gunn, the agent, thought he could not get enough lobsters to run the factory profitably, but the night he gave out that he would close on Saturday he got word from the maritime agent, Mr. Leary, to keep on, that lobsters were coming up, but it was too late. That is the reason some of us closed, because the factory was closed.

Q. Were the majority of the fishermen prepared to knock off at that time and take to other fishing?—A. Yes, sir.

Q. What other fishing could they take to?—A. Codfish, haddock and hake, that is trawl fishing.

Q. The mackerel would not be on quite at that date?—A. We are not interested in mackerel fishing.

Q. Is there any time of the season when lobsters are not fit for human food in your opinion?—A. Well, I think part of July and August they are not very good. That is my opinion, personally.

Q. When they are soft shelled?—A. There is plenty of shell on them now, but no meat in them.

Q. When do the lobsters cast their shell in this neighbourhood?—A. It is quite a question. We get them soft shelled sometimes about the 1st of July, before we knock off. There are some soft shelled ones but very seldom we see a soft shelled lobster. I gaffed one or two the other day where we were fishing on the island, about a fortnight ago, which would be the last week in July, and the shell was just as hard as ever it was.

Q. The new shell hardens up very quickly?—A. It must.

Q. Do you think it possible to regulate to some extent the capture of small lobsters by leaving a moderate space between the slats and using a certain mesh in the end?—A. I don't think it makes a bit of difference, not a particle.

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Q. But such small lobsters as are taken in some places would not then be caught in the traps?—A. I don't think it makes a bit of difference. Supposing the laths are two inches apart, the lobsters stay so long in the trap.

Q. The way the parlour traps are being made now it is a more complicated arrangement?—A. Yes.

Q. And where the slats are not more than a half inch apart, as in many places, the young lobsters that get in cannot escape again, the trap is so small and has such a complicated entrance?—A. It does not make a bit of difference, the lobster will get out where he gets in if you will give him time, that is the second night. He will not be there two nights, he will not be there over Sunday. We have tried the parlour traps here.

Q. But they are not in general use?—A. No, sir, we don't find them a particle better. They would be better for hand fishing, but we are not hand fishing, we are trawl fishing. I used them almost the whole of one spring.

Q. Has the practice of stripping or washing the eggs off the female lobsters ever been followed by the fishermen in this district?—A. I suppose a witness is not supposed to incriminate himself. I think it has.

Q. The idea is to find out what is the practice; it is the practice and we know that it is done?—A. Yes, sir.

Q. Where the canner objects to taking berried lobsters, the eggs are washed off outside?—A. Yes, it can be done.

Q. Until the present year, have the canners been in the habit of taking everything that was brought to them, without regard to the size limit or the fact of the lobsters being berried?—A. The factory agent here never wanted to take the small lobster or the berried lobster, but he did not draw the line strictly until this year. In fact that was owing to his desire to keep the good will of the fishermen, not because he wanted them. He has been trying to educate the fishermen all he possibly can.

Q. Should the selection, or throwing out, of the berried lobsters be done by the fishermen on the spot or at the cannery?—A. Personally, I don't think the lobsters should be taken into the boat at all, it kills them more or less the longer they are out of the water.

Q. Do you think they are more tender, that they won't live out of the water as long as the non-berried lobster?—A. I don't think they are so hardy.

Q. Do you think it would be possible to induce the fishermen to return to the water all the berried lobsters they take in their traps, and, if so, how would you propose to do it?—A. I think that matter is pretty well settled here, because the union has taken it upon themselves and it has been practically done this year. I have myself made experiments with them. I have taken and put white strings on them every nine and ten days to see if I could catch them again.

Q. And did you catch them over again?—A. No, sir, very few.

Q. Did you hear of anybody else catching them?—A. No, sir. One of my neighbours tried it. Some of them have been caught inshore again.

Q. Are you aware of any fisherman having lost his catch of lobsters through the canner refusing to accept them?—A. I am not aware of any.

Q. Various recommendations have been made to the department as to the best way to bring about a re-establishment of the lobster industry. Some people have proposed as a remedy to close down entirely for a number of years; what would you think of that, would it be a very severe measure?—A. Yes, as far as we are concerned, very severe, especially these late years. So far it has been our only source of income this season. For the first two months of the season, particularly May and June, we would be idle.

Q. Is it a cash business?—A. Purely.

Q. When does the canner make his arrangement with the fisherman?—A. The business is so established now that the canner has his fishermen and knows exactly

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who they are. All the fisherman has to do is to get his gear and get ready, and the canner will be ready to take his fish.

Q. Is there any advance made by the canner to fishermen during the winter?—A. Not here, not generally.

Q. Is the fisherman paid for his fish as he brings them in, or at the close of the season?—A. He gets money any time he wants it after he brings his fish in, but the payment is monthly by Burnham and Morrill.

Q. What is the average return for a good fisherman; how many tons or what number of quintals does the average catch represent here?—A. I could not say. Of course I know what my own is and that is about the average I think. No it would be a little higher than the average all through, there may be a few pounds difference between us.

Q. What is your total quantity?—A. About 6 tons

Q. That is pretty good, is that about the average?—A. I fish a little later than the rest, perhaps four tons would be the average.

Q. Do they reckon at the cannery the number of cases per boat?—A. No, sir.

Q. What number of cases did they pack here this year?—A. Not quite 756.

Q. Do you remember what the pack was last year?—A. About the same.

Q. Did they make their average pack this year?—A. Yes.

Q. The Lobster Commission of 1898 recommended that the fishery should be closed down by sections, how would that appeal to you?—A. I don't know in the world. To my mind in any lobster ground with a close season of ten months as we have it practically here, the lobsters will never be depleted.

Q. Especially if they protect the berried lobster?—A. Yes, or any way. Those lobsters have been taken here until this year.

Q. Another suggestion made is to do away with the size limit—it is a regulation that is very difficult to enforce—you would require a man at every factory, and in some places its enforcement would mean closing down altogether. Yes, sir.

Q. I don't think your own particular cannery would run?—A. I don't suppose it would either.

Q. You do not think it would either??—A. It would not be worth while.

Q. The next proposition is to do away with the size limit?—A. That is practically what we have been doing.

Q. It is a mistake to have on the statute book regulations that are not enforced?—A. That is right.

Q. Well it is proposed to do away with the size limit, protect the berried lobster—putting her back in the water or where it is possible establishing pounds or hatcheries—as far as possible regulate the traps so that unfairly small lobsters should not be taken, and close down on the 1st of July; how would that appeal to you as a way out of the difficulty?—A. That would not hurt a soul around here. That is just what has been done. There are very few run in July.

Q. You think that would be a reasonable suggestion to make?—A. Yes, I think so. There are some fishing stations that wish to run to the end of the season, in fact they applied for an extension, but it has never been done here. I speak now for Burnham & Morrill's firm.

Q. As to the matter of issuing canning licenses the practice of the Department has been to restrict the number?—A. Yes, sir.

Q. That has been the practice for a number of years; how does that appeal to you, do you think there are canneries enough?—A. Well that question came up this spring before the union and some fishermen proposed that we should pack our own lobsters, but the trouble was to get a license, so that would operate against us.

Q. The present policy of the Department seems to be where a sufficient number of fishermen co-operate together to engage in canning, to grant them a license?—A. That would be all right, that is the way out of the difficulty.

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Q. Does it not seem strange that we should limit the number of canneries and not the amount of gear?—A. Well it is apt to create a monopoly.

Q. It is apt to create a monopoly?—A. Well to our minds.

Q. Is there any reason why any man showing his competency to pack should not be given a license to pack as well as another man?—A. I don't believe so. It is a matter for himself. If he pays for the license, establishes a factory and tries to operate it and cannot get the fish it is a loss to himself. I believe it would be a help to the fishermen because it would create competition.

Q. Do you think it is right in that case to require the cannery to be up to a certain standard at all events?—A. Yes.

Q. There are a number of canneries in operation that should not have the right to exist, and their output must seriously affect the market?—A. Is a man who operates a large business not more apt to have bad lobsters than a man who operates a small one?

Q. I suppose it depends on his ability to handle the lobsters; he would need to have a large factory and a large number of hands?—A. If he is not able to put them all up he has to put them in crates in the water for a number of days.

Q. Is it the practice in particular canneries to hold the lobsters in that way?—A. Yes, they are held here.

Q. And you think they do not improve in quality?—A. They throw a large percentage of dead ones out and we have to pay the bill.

Q. When they are held in that way?—A. Well, we did not have to pay the bill, but we do not get the price. Owing to the scarcity of men in the factories, or of hands to handle them, there is a glut. This year the practice has been different. They never handle the catch in a day. They have to crate then and when they are crated they always lose some; they get dead lobsters.

Q. As to the live lobster trade, has the exportation of live lobsters ever been carried on from here?—A. No, sir.

Q. Do the necessary facilities exist?—A. No, sir, not at present.

Q. In your estimation where that trade can be carried on is it more profitable for the fishermen than selling to the canner?—A. Well, sir, as to that I am not posted.

Q. It has been alleged that in some instances the fishermen have suffered injury through the failure of those holding canning licenses to operate their factories, although a sufficient supply of lobsters was available; do you know of any such instance?—A. No, sir.

Q. Who fixes the price to be paid for lobsters?—A. The canner. The union tried to fix it this year but failed.

Q. Has any co-operative canning been done in this neighbourhood?—A. It has not been done in our neighbourhood. There has been a license granted at a distance from here, Long Point, but they have not operated. It requires fishermen of means that are able to command a little capital to start a factory. Those men got a license and they never operated.

Q. They started under bad conditions did they not?—A. They started under bad conditions. Their excuse is they have tried every packer for cans and not a packer would give them a can. I am not sure whether that is correct or not, but that is their story.

Q. Would you be in favour of increasing the number of lobster hatcheries?—A. I think a hatchery would do good.

Q. Do you think there are any facilities in this neighbourhood for the establishment of pounds?—A. So far as I know in regard to hatcheries and pounds, a pound would be the most successful of the two; but I don't know where there would be a place around here for a pound. Of course there are coves.

Q. You must have shelter?—A. It is very hard to get a good place.

Q. Has there been any noticeable decline in the average size of the lobsters caught in your district within the last ten years?—A. I don't think so.

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Q. Would you say within the last thirty years?—A. I don't know. Since twenty years, as far back as my experience goes, to my mind there is no difference, the lobsters are just as large I think. I am not saying anything about the catch thirty years ago. They were almost walking the shore then but they are not that now.

Q. It takes a larger amount of gear to-day to catch the same amount of lobsters?—A. Yes. I know about 25 years ago, which was about the time I came to this place, any man with 100 traps could bring in a ton of lobsters in one catch.

Q. He could not do that now?—A. He could not do that with 1,000 traps now.

Q. What do you think has brought about that change?—A. The lobsters have been caught up. At that time, and since then too, I suppose, the season has always been well observed, the close season. There has never been any poaching in this neighbourhood.

Q. There has been no canning after season?—A. No canning at all.

Q. Do you think it is in the interest of the lobster fishery generally that lobsters should be taken before they have reached maturity?—A. It would not be natural. It is not a wise thing.

Q. Your season begins here on the 20th April and you close when?—A. July 10th.

Q. What do you think about the opening season? A great many people, including Professor Prince, think the season should open everywhere on the 1st of January and people should begin to fish whenever it is possible to do so.—A. That would be just the same to us. You could not open anyway before the 1st of May, some years the 20th of April, when the ice leaves early.

Q. The opening date seems to have been fixed with the idea of saving the gear, not out of regard for the lobster?—A. We want to save our own gear. Personally I would rather see the opening of the season later. I think perhaps the majority of the fishermen would rather have the opening season the 1st of May, they do not consider there is any gain in starting the 20th of April. We catch most of the lobsters anyway.

Q. What is the most active period of the fishery with you?—A. It is about the second or third week of our fishing that we have our best catch.

Q. It has been asked that fall fishing be allowed in some localities owing to the delay in commencing to fish caused by ice remaining off the coast.—A. I am not interested.

Q. It does not affect you here; you have other fisheries to take up and you would not fit out again?—A. No, I do not think it.

Q. Have you any suggestion yourself to offer?—A. No, I do not think it. The great majority of the fishermen here drop out the 1st of July.

Q. Then supposing we do away with the size limit, and make it legal to take fish down to a size that will be profitable to can; do you think there would be any serious hardship caused by closing on the 1st of July?—A. No. I don't see where the difference would come in there. It is only the law on shore now, it is not in practice.

Q. Was the law ever enforced?—A. No, sir, never. The fishermen don't want to see small lobsters.

Q. In your opinion should the product of the cannery be subject to inspection by an official inspector?—A. Yes, I think it should. To my mind it is to the advantage of the canner himself to see that his goods are up to standard. It is better to have that if possible and it means more money for himself. If he is a man that is able to put up a factory and start a canning business that should be guarantee enough. A man that is able to do that I consider that he is qualified.

Witness discharged.

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LEWIS D. MACDONALD, fisherman, Port Hood, called and sworn:

By the Commissioner:

Q. Are you a fisherman yourself?—A. Yes, but I was not fishing this year.

Q. But you have always fished before, have you?—A. Yes.

Q. For how long?—A. Off and on ever since I was able to fish, I suppose 25 years.

Q. Have you always fished on this part of the coast?—A. Yes, sir.

Q. When was the Fishermen's Union organized in this neighbourhood?—A. Last February.

Q. Can you give me any idea of the number of members?—A. I could not exactly, I suppose there would be about 150 in good standing.

Q. Its district extends from where?—A. From Mabou to Judique.

Q. Are practically all the fishermen members of the union?—A. No, they are not all members of the union; they did not all come in.

Q. What led to the establishment of the union here?—A. Well, the fishermen thought they would better themselves to be united.

Q. We have had the history of the dispute between the Fishermen's Union and the packers from Mr. Morrison; would you mind giving, in your own words, the nature of the trouble last spring?—A. You want to find out how it occurred and how it ended? Well, I will have to commence, I suppose, at when we organized the union, and the reason we organized.

Q. Yes; what were the reasons for establishing the union?—A. Well, the reasons—we were informed here that the packers held a meeting and were going to cut down the price to \$2 per hundred. So we had a meeting and organized a union, and we made a price for the packers to come up to. We notified the packers after we had got organized that we wanted such a price for our lobsters. When they came down they seemed to say they could not afford to pay this price. So with respect to our members, while we could——

Q. What was your price?—A. We notified them first that we wanted the price we were getting last year, \$3.75; but then we compromised and came down to \$3 per hundredweight. The packer here for Burnham & Morrill would rather close down than give us this. He did come up to \$2.25. The packer in Judique, Rood, paid \$3.

Q. And what about Mr. Macdonald?—A. I could not be certain. He paid \$2.50 anyway at the start. I could not be certain, because I did not sell the lobsters myself. He started later on. The union had no dealings with him.

Q. That was the beginning and ending of the trouble?—A. The fishermen could not do anything else, and they had to accept the price. They were not prepared to can for themselves.

Q. And they had no chance of exporting their lobsters alive?—A. That is it. That is as far as I know.

Q. Do most of the fishermen here own their own boats and gear?—A. Yes, I believe they do.

Q. How does the fishing to-day in this neighbourhood compare with that when you began to fish?—A. Of course, the lobsters are not as plentiful.

Q. Are they as large?—A. I suppose they would be about as near as large. Of course, the lobsters were more plentiful then, and they were particular about their traps.

Q. Is the trap made any different now from what it was when you began to fish?—A. I believe it is different. Well, not much of a change. The fishermen are getting more in the way of fishing and are making better traps I suppose.

Q. Do they put the slats closer together now than they did when you first started fishing?—A. Some might and some might not. They are, I suppose, about the same.

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- Q. What would you say is the opening between the slats around the sill now?—
A. Oh, I suppose it would be about an inch.
- Q. Do most of the fishermen make their own traps?—A. Yes.
- Q. How does the price paid for lobsters now compare with what you got when you first began to fish?—A. There is more paid for them now.
- Q. What number of traps did you use when you last fished?—A. I fished, I suppose, about 225 traps, two men in a boat.
- Q. What did you use to fish when you first commenced?—A. About 100 traps.
- Q. Who fixes the price paid for the lobsters?—A. Up to now it is the packers.
- Q. Do you think there is any combination on the part of the packers to keep the price down?—A. Well, that is the impression that there was.
- Q. Do you think the fishermen would be better if they were allowed to can for themselves?—A. I believe so.
- Q. Now as to the regulations, what has been the practice; have you been in the habit of taking to the canner everything you caught in the past? The regulations say you must not take berried lobsters or anything under 8 inches, have these regulations ever been enforced?—A. Well, not very strictly in regard to small lobsters. There would not be very small lobsters stay in those traps anyway.
- Q. What do you say is about the smallest sized lobster you have taken to the cannery; we have seen lobsters three or four inches brought in?—A. There would be none here that small that I would know of. I could not say that there would be anything smaller than 7 inches, and I could not say as to 7 inch lobsters.
- Q. What has been the practice with regard to berried lobsters up to the present?—
A. I suppose letting them go.
- Q. You think they have been let go?—A. They say they have been.
- Q. Has it ever been the practice to brush the berries off and bring the female lobsters to the canners in that way?—A. I never did that.
- Q. Are the fishermen beginning to see, now that they are organized and in a union, the importance of these matters; are they beginning to appreciate the fact that they should observe the regulations and that berried lobsters especially should be protected?—A. Yes, I hear them speak very strongly about that.
- Q. Do you think there is a prospect that the berried lobster will be better protected in the future?—A. I think so.
- Q. From your observation as a fisherman what do you say is the spawning season of the lobster?—A. Well, I could not exactly say.
- Q. Do you think you find more spawn lobsters inshore than offshore?—A. I didn't take notice.
- Q. When did you give up fishing?—A. I have not fished for a few years now.
- Q. Have you given up the fishing permanently?—A. No.
- Q. If an attempt were made to enforce the protection of the berried lobsters where is it best to begin, in the cannery or in the boat; where is it easy to best determine which are berried lobsters and which are not, and then throw the berried lobsters out? Should the fishermen do it when the lobsters are taken from the trap?—A. I suppose it would be easy for the fishermen to do it.
- Q. Have you any idea how many berried lobsters there are to every hundred fish?—A. I could not say.
- Q. Would you favour issuing a license to every man competent to pack?—A. Yes, I would.
- Q. If you were not allowed to take berried lobsters, or anything under 8 inches, what effect would it have?—A. Well, an 8-inch lobster is quite a nice size.
- Q. But a lobster must reach that size before it is able to reproduce itself?—A. Yes.
- Q. If the law were strictly enforced in regard to the 8-inch and berried lobsters, do you think it would compel the factories to close down?—A. I could not say, I suppose it would be a bad thing for them.

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Q. Have you any idea which brings in the largest profit to the fishermen, selling live lobsters to the market or selling to the canner?—A. I could not say, for I have not studied it out.

Q. Is it to your knowledge that fishermen have ever lost their catch of lobsters by the canners refusing to accept them?—A. I don't think so, not in this neighbourhood.

Q. Would you be in favour of increasing the number of lobster hatcheries?—A. Yes.

Q. Is there any statement you would like to make of your own accord or have you any advice to offer? If so, we will be very glad to take it down for submission to the Parliamentary Committee?—A. I don't think there is. You have gone over the ground pretty well. They claim that the beam trawls smash up the lobsters quite a bit. They run over the lobster ground.

Q. Were they trawling here?—A. Yes, right through the bay last year. There was one of the union men told me they saw after the beam trawler ran up ashore up to Judique and Long Point and those places, a wind came up and you would see the lobsters where they washed ashore after the beam trawlers went through. They were crushed on the bottom.

Q. Was that after the fishing was through, after the traps were up?—A. Yes, it would be in the bay.

Q. What is the nature of the bottom out there?—A. It would be gravelly.

Q. A smooth bottom?—A. Smooth bottom.

Q. Where the trawl could be used?—A. Yes.

Q. Because they cannot use a trawl on a rough bottom?—A. No.

Q. Was the trawler there long?—A. Well, he was running back and forth there.

Q. How long was he fishing in that neighbourhood?—A. I could not exactly say. He would be there I suppose for a month.

Witness discharged.

Commission adjourned.

ARISAIG, August 13, 1909.

ROBERT E. WHITMAN, packer, Goldboro', Guysboro county, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. Twenty-seven years.

Q. On what part of the coast?—A. I have been from Cape Sable to the Magdalen Islands.

Q. How long have you been located here?—A. I have been here nine years.

Q. You have had experience of the fishery in many places then?—A. Yes.

Q. Who owns the cannery here?—A. Burnham & Morrill, Portland, Maine.

Q. Are all the people employed about it Canadians?—A. Pretty much all.

Q. Are there any other canneries licensed in the neighbourhood?—A. Yes.

Q. Where is the nearest cannery to you?—A. At Merigomish, eight miles from here.

Q. How many boats do you employ here?—A. Twenty-five.

Q. Do the boats and gear belong to the factory?—A. All belong to the Burnham & Morrill Company.

Q. What number of hands do you employ? Are there as a rule two to a boat?—A. Well, I would say half that number, not quite half.

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Q. How many hands are employed in the factory?—A. Thirty-two I think this year.

Q. What number of cases did you pack this year?—A. We packed 567 whole cases.

Q. How does that compare with last year?—A. Below.

Q. And the year before?—A. Less again.

Q. So this was a poor year with you?—A. This was a poor year.

Q. What was the best pack you ever made?—A. The best pack I have had in the nine years is 742 whole cases.

Q. About what distance do the fishermen fish off shore here?—A. I would say no more than two miles.

Q. How does the number of boats and traps compare with what you used to fish when you came here first?—A. There is about the same amount of gear.

Q. What style of traps do you use?—A. We fish now with the old style of traps.

Q. When did you begin to pack this last year?—A. The 9th of May.

Q. Since you have been here when do you begin one season with the other?—A. About the 1st of May, that is about the average.

Q. Are you prevented from getting out here any earlier by the ice?—A. Yes.

Q. How have the regulations in this neighbourhood been observed as to under-sized and berried lobsters?—A. Well previous to last year it was not looked into very stringently. I will say that for the last few years it has been observed pretty well here with regard to the spawn and small lobsters, more particularly in regard to the spawn lobsters.

Q. How many lobsters go to the pound tin here?—A. They will average five in the month of May, and according as the season advances. I might say that we get them four and three-quarters in June, and if we run in July they would be four and a quarter. On the whole about four and three-quarters is our average for the season.

Q. Do you find the lobsters are not as full when you begin packing as they are later on in the season?—A. No, sir.

Q. What percentage of the lobsters that are taken here do you think bear berries, how many out of every hundred?—A. I could not say.

Q. How do you find the lobsters running now as compared with when you first came here?—A. They are not so large.

Q. Are they decreasing in size do you think?—A. I think so.

Q. Do you get a larger run of lobsters at the earlier part of the season than you do later?—A. Usually.

Q. Has it been your practice in the country to make any cull in order to detect the presence of berried lobsters?—A. Yes.

Q. You think that during the last few years the fishermen are more careful about bringing the berried lobsters in?—A. Yes.

Q. Is that because you refused to accept them or how is it?—A. It is the instruction of Burnham & Morrill. The superintendent tells me in the spring when I go out on this mission, and Mr. McAdam, our inspector, is very strict.

Q. What width do you usually allow between the slats in your traps?—A. I guess it would be about an inch. I would not say that it was an inch, I would take a little off. Our gauge is the pole of a hatchet.

Q. When did they first begin to pack here?—A. It was about eighteen years ago, I think.

Q. Was there any cannery here before this one?—A. There was one.

Q. It is your opinion that the lobsters have decreased slightly in size; what do you think that is due to?—A. Well, sir, I don't know. We noticed them more this year than any other. They held up their size. We almost had a Boston market lobster here until this year, sir.

Q. That is a 10½ inch lobster?—A. Yes, sir, we could ship lobsters if we had the facilities to do it. This year they were a little smaller than usual.

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Q. If the 8-inch size limit were strictly enforced how would it affect you?—A. I think it would affect us slightly.

Q. It would not close you up; most of the canners we have met, and most of the fishermen, say an 8-inch limit would put them out of business—A. I am most of their opinion too.

Q. Were the lobsters measured here this season?—A. Yes, sir.

Q. Did you see the list of measurements?—A. Yes, I saw it.

Q. Were there many under the 8 inch mark?—A. There were a good many.

Q. You fish altogether the old fashioned trap?—A. Yes, sir. Oh there might be two or three what they call the parlour trap, but we fish the old regulation style.

Q. As to the matter of licensing canneries. You know the practice of the department for some years back has been not to license any new canneries; what do you think of the regulation in that respect?—A. Well my own opinion would be that along the shores here and in other places I think there are canneries enough, that is operating.

Q. What was the price paid to the fishermen here for lobsters this year?—A. \$1.75 per hundred weight.

Q. How does that compare with the price paid last year?—A. It is not so good.

Q. What was the difference?—A. 25 cents was the difference. We gave them \$2 last year.

Q. That change, I suppose, was due to the drop in the market?—A. That is it, sir.

Q. Is there any station of the Fishermens Union here?—A. There was this spring. I don't know whether it was discontinued or whether it is still in existence or not.

Q. Is the president or secretary here to-day?—A. No, they belong to another neighbourhood altogether, to Georgeville, east of here.

Q. You do not evidently feel the bad condition of the fishery here as much as they do in most other places, or in northern New Brunswick, where it takes 14 or 15 lobsters to the pound can. Still it appears necessary that some change should be made to bring the lobster fishery back to its former condition, and a number of suggestions have been made to the department with that object in view. One proposition is to close down for a number of years and allow no lobster fishing or canning; what would you think of that?—A. I think as far as the building up of the business, it certainly would have a tendency, but I think it would be ruinous to Nova Scotia in the meantime.

Q. Another suggestion, which was made by a former Lobster Commission, is to close down in sections?—A. Well, I suppose it would be a benefit.

Q. Would it be pretty hard in the meantime?—A. That is right.

Q. The general opinion is that if the regulations as they stand with regard to the berried lobster and the 8-inch limit are strictly enforced, it will put everybody out of business. I do not say that it will everywhere, but they say it would in a great many places?—A. I don't think there is any place that I know of that it would not be on the decline for the fishermen and the packer both at the time.

Q. You would soon recover because you would get a larger run of lobsters?—A. That is right, and if the spawn lobster were protected and more fishery money coming from the government to pay fishermen for catching them. Most of the fishermen believe if they throw away the spawn lobster at the first part of the season they will eventually get him again.

Q. Another suggestion that has been made is to do away with the size limit altogether, but of course protect the berried lobster?—A. I think there is more injury done in trying to fish in July along this north shore than any place I know of.

Q. That happens to a great extent where they fish in shoaler water?—A. You know there is this to-day: There are men right on this shore that do not do anything say from the middle of June until, we will say, the 1st of July. They do not attend

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their lobster fishing, and they want those ten days in July. We do not feel it here because we do not have any shoal water fishing. But take it around on the other side of Cape George, in George's bay, and even up here in Merigomish bay, I think these gentlemen will bear me out in saying that——

Q. Do you think that, of all the propositions, seems to be the most feasible and least hurtful to the fishermen and those interested?—A. Yes.

Q. When do you have your best fishing here?—A. In May.

Q. You are allowed to begin here the 20th of April?—A. Yes, sir.

Q. Does that regulation fit all right?—A. No. We have never begun—the earliest we ever did anything was April 25, that was to put a rope in, but as far as catching lobsters is concerned we don't do it in April, we cannot. There might be a man or two get a few.

Q. In some seasons it might be a little earlier than others?—A. Yes, sir. It is a little irregular, perhaps.

Q. It has been asked that fall fishing be permitted, say during the month of September; what do you say to that?—A. I don't know, sir, I am sure; I never saw any of it.

Q. Do you think it would be possible or right to establish a standard of fitness for canneries, to insist that all canneries should be up to a certain standard?—A. I think it would.

Q. We see a great many canneries that are a long way below what they should be?—A. Yes.

Q. What would you suggest as some of the things we should insist upon in a cannery?—A. Cleanliness would be the first thing, to keep the place good and clean and airy inside. Our water facilities here are good, and speaking for this shop I do not know hardly what improvements to put on to it.

Q. What are your tables covered with?—A. With zinc.

Q. Do you think the fishermen would make more money if allowed to can for themselves?—A. I do not.

Q. The only new canning licenses that are issued now, are to groups of fishermen who combine for the purpose of carrying on the canning business. There have been a number of what are called co-operative licenses issued; what do you think of fishermen co-operating and obtaining a canning license?—A. Well, I think if the fishermen ought to have that privilege they ought to have that right.

Q. By that you mean you would not increase the number of licenses?—A. No, sir.

Q. Are you aware of any complaints made by fishermen that the price paid for lobsters is not satisfactory here? Is it the case that fishermen have lost their catch of lobsters by the canners refusing to accept them?—A. No.

Q. That has not occurred here?—A. No.

Q. It has been alleged that in some cases fishermen have suffered injury by the failure of canners to operate their factories although a sufficient supply of lobsters was available; are you aware of any instance of that kind?—A. It has never happened here, not in the factory of the Burnham & Morrill Company.

Q. Is there any market here to which the fishermen could take their lobsters if the canneries were closed?—A. No.

Q. There has never been any attempt made here to ship live lobsters to the market; you are too far from the market here and you have not got the necessary facilities?—A. No.

Q. Which branch of the lobster industry do you think is the most remunerative to the fishermen and the least calculated to deplete the industry, the canning or the live lobster trade where it can be carried on?—A. I think the live lobster trade where it is carried on.

Q. I suppose the experience in southern Nova Scotia has shown that?—A. Yes, sir.

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Q. Is it within your knowledge that lobster hatcheries have done any good in this neighbourhood?—A. No, sir.

Q. Would you recommend an increase in their number?—A. I would.

Q. Do you know anything about lobster pounds? In the State of Maine and in Cape Breton there are places in which they place the female lobster and hold her?—A. I know F. H. Baker had one down in Cape Breton.

Q. Are there any facilities along this shore where pounds could be established?—A. I do not think there would be.

Q. You want a large pound with a narrow inlet?—A. Yes, sir. The cove would need dredging and a lot of work done to it.

Q. Is there any fishing done here out of season?—A. Not any.

Q. At some place there are a good many complaints about the practice of abandoning gear in the water; is that done here?—A. Not any, because I have to reckon and take account of the gear when it is on shore.

Q. As to stamping the cases, do you know if there is any fraud in connection with it?—A. Not any here with me.

Q. Is there anything you would like to add on your own account?—A. I don't think there is anything. I think the questions you have asked are all right.

Q. Are most of the men who fish lobsters here regular fishermen?—A. Farmers.

Q. They mostly fish for lobsters and are not regular fishermen?—A. No, sir.

Witness discharged.

MICHAEL D. MACDONALD, fisherman, Arisaig, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. About 20 years.

Q. When you are not catching lobsters what other industry do you devote yourself to?—A. I fish.

Q. Have you always carried on your fishing on this part of the coast?—A. Not altogether but mostly.

Q. Do you fish your own gear?—A. I use the company's gear fishing lobsters, I use my own when at other fishing.

Q. Is there a station of the Fishermen's Union here?—A. Yes, sir.

Q. Are you a member?—A. Yes, sir.

Q. What number of fishermen are engaged in the lobster fishery here altogether?—A. About 25 I believe, that is 25 boats. There may be more engaged such as hired help.

Q. How far off shore do you fish?—A. I would say from a quarter of a mile to nearly two miles.

Q. What is your greatest depth of water?—A. About 12 fathoms, between 12 and 13 fathoms for lobster fishing.

Q. What kind of bottom?—A. Hard bottom.

Q. When do you first set your traps out as a rule?—A. As soon as we can after the ice goes. The ice permits us between the 25th of April and the 5th of May.

Q. Do you fish all season in the same depth of water?—A. Oh, yes, we have traps scattered all around from inshore to out, but the latter part of the season we generally bring most of our traps inside.

Q. What is the shoalest water you fish in?—A. About four fathoms, three or four fathoms.

Q. Is the bottom the same all over?—A. Not all over, there are ridges of mud.

Q. You avoid those?—A. Yes, we avoid the mud.

Q. Is it the general practice to move a little farther inshore as the season advances?—A. Well, it is the general practice, yes.

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Q. How do you find your catch, is your annual catch decreasing?—A. Decreasing a little.

Q. Do you require to fish more gear to keep it up?—A. Yes, you would a little to keep it up.

Q. What number of traps do you fish in your boat?—A. 275 I had last year, I think.

Q. Did you always fish with the same number?—A. Well, I have since a good many years. Not when I began first though.

Q. What number had you then?—A. About 200.

Q. And did you catch more fish with 200 traps then, than you do now with 275?—I don't know that I did catch very much more.

Q. How many pounds did your boat catch this year?—A. This year about 10,000 pounds.

Q. Has the number of traps increased much in this neighbourhood of recent years?—A. Not a great deal since seven or eight years.

Q. But since olden times?—A. Since olden times they have increased.

Q. When did the lobsters first begin to show a falling off?—A. Our experience is that during the last five or six years the fishery has been very steady, the real falling off occurred some years ago?—A. Yes.

Q. When would you say within your experience?—A. I don't know, about 12 or 13 years ago.

Q. What did you attribute it to then?—A. Well, I don't know, if not probably overfishing.

Q. Was the practice then the same as of recent years to take everything that came?—A. Yes.

Q. Down to how small would you say?—A. Down I guess to anything at all.

Q. There must be a limit?—A. There was a 9 inch limit or supposed to be.

Q. What is the smallest lobster you would carry to a factory and expect the boss to receive, two or three inches?—A. Two or three inches? I would never take them in.

Q. Where would you draw the line, what is the rule with fishermen; we want to see how far down they generally go you know?—A. I guess some of them would take anything that would be accepted from them and more would have a little better conscience than that, they would fire a baby overboard.

Q. And how about berried lobsters?—A. The berried lobsters were regarded here this year. The fishermen made up among themselves that they would not take any in and they kept the regulation.

Q. Was that discussed among the members of the union?—A. Yes, sir.

Q. And what did the union decide?—A. That we should not take any berried lobsters and we did not take any in. Of course the inspector and the packers helped us, we were all agreed.

Q. And what was done prior to this year?—A. I never threw anything overboard.

Q. Was the practice of brushing off the berries followed here at all?—A. They had to fire them overboard, if they were compelled by the inspector and packers. There would be some of the spawn lobsters brushed off, but I believe there was nothing like that this year, they were all fired overboard. I certainly think they were.

Q. Then you think the fishermen are beginning to realize the necessity of doing that?—A. They are here.

Q. That is one of the good effects, I suppose, of the union discussing this matter and the fishermen coming to a decision?—A. Yes, sir.

Q. Is there any difference between the trap you fish now and what you commenced to fish with?—A. Not here. It is the same as the boss stated; they may have a few parlour traps just for experiment.

Q. What is the particular good quality of the parlour trap?—A. It holds everything that goes into it, big and small.

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Q. In your opinion is the supply of lobsters kept up by taking much smaller lobsters than formerly 'would have been taken in the beginning of the fishery?—A. Well, I don't know.

Q. When you first began to fish some years ago you did not see so many small lobsters?—A. No, sir.

Q. How do you find the lobsters run when you move in towards the end of the season; do you get smaller lobsters than when in deep water?—A. Yes, sir, the lobsters seem to be smaller in June than when you start first.

Q. What would you say was the percentage of berried lobsters?—A. The percentage, I would say, would be five to one hundred pounds.

Q. That is all through the season?—A. Yes. Sometimes they will be a little scarcer. I mean that would be the number on the average.

Q. As to undersized lobsters what proportion would be taken?—A. Do you mean under 8 inches?

Q. Yes?—A. I would say that over half, a good bit over half, would be under 8 inches, because I have been with the man that was measuring them last summer on the wharf and took down the figures.

Q. Is that your own experience, too?—A. That is my own experience for the last few years.

Q. It has been suggested that the fishermen should be registered and take out a license to fish lobsters, just the same as the canner takes out a license to can, but at a nominal fee. The theory is that under such circumstances the fishermen would feel themselves under more responsibility to observe the law, and would very likely inform on others who did not carry out the regulations. If a fisherman were found to be continually violating the law he would lose his license and not be allowed to fish for lobsters; what do you think of that?—A. I don't know but what it might be a good idea.

Q. How does the price now paid for lobsters compare with that paid when you first began to fish?—A. The price is a little better now of course.

Q. Were you paid 50 cents a hundred when you first began?—A. Yes, sir, I started at 50 cents.

Q. And it has gradually risen to what figure?—A. \$2, but it has dropped a quarter this year.

Q. You have not dropped as much in proportion as they have in some places?—A. Probably not.

Q. Is there any competition in the matter or are you forced to accept a certain price; is it a question of take it or leave it?—A. We are forced to accept a certain price here.

Q. When do you think is the spawning season of the lobster?—A. That is pretty hard to tell. I believe you can get the lobsters mostly any part of the year and get some with spawn on them.

Q. Do you notice a difference in the spawn?—A. The fishermen that have experience seem to say that the lobsters generally spawn in June, the majority of them.

Q. Do you find more spawn lobsters later in the season inshore than when you first begin fishing?—A. Well, about the first start of the fishery and the last; the last part I find more spawn lobsters.

Q. Is there any time when you consider the lobster not fit for food?—A. Well, I don't know. I cannot say much about that. I have not had that experience about the lobsters.

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Q. I suppose when they are casting their shell?—A. When they are casting their shell I believe.

Q. Can you tell the smallest sized lobster you ever saw bearing berries?—A. Well, I never took notice of anything just for smallness of size with berries on it. The smallest I have seen I would say would be between 7 and 8 inches.

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Q. The general run of berried lobsters are fairly good lobsters?—A. Yes, fairly good.

Q. What do you think is the best way of getting at the preservation of the berried lobsters?—A. The way I believe the lobsters would accumulate better would be its natural way by firing it overboard, but it is pretty hard to get at that so that every man will do it. The next best way, and these are the only two ways I know anything about, would be to establish a hatchery. The hatchery is the surest. That is if the government would make some arrangement with the fishermen that they would be paid for these lobsters and then fire them overboard.

Q. Would not one difficulty be that the fishermen would be selling the same lobsters over and over again?—A. Yes, and still another difficulty would be here: Supposing the government were buying this lobster the greedy fisherman that would not agree, he might wash the lobster. No he could not do that; his object would be to sell the lobster with the berries on it. This hatchery at Caribou is doing a certain amount of good.

Q. Does the boat from that hatchery come here to collect spawn?—A. No, they have never come here to collect spawn.

Q. You have heard the three propositions with regard to stopping fishing altogether for a term of years, or closing down by sections, or doing away with the size limit, shortening the season by a few days and protecting the berried lobsters; which of these propositions would you approve of?—A. Speaking only for myself, I believe that protecting the spawn lobster and shortening the season would be of most benefit to all, because knocking off for a couple of years, where a man is dependent upon fishing—and the lobster fishing is the best thing he has to depend upon—would put him in a kind of hole for a couple of years. I believe in cutting off ten days and protecting the spawn lobster. As to protecting the small lobster, as far as I can see, it will be pretty hard to arrive at the size.

Q. Do you not think the parlour trap is doing a good deal of injury by capturing and holding too many small lobsters?—A. I believe it is.

Q. What do you think of the present practice of the department in the matter of licensing canneries; is the present regulation restricting the number of licenses a sound one?—A. I believe there are licenses enough given out to canneries. As to licenses to the fishermen, if the cannery were not using them right they could turn out canned lobsters for themselves.

Q. The method of allowing fishermen to co-operate, in places where they are not satisfied with their treatment by the canner, gives them an opportunity to do better?—A. To do better if they think they can.

Q. Some capital is required of course?—A. Yes.

Q. It would not do to issue licenses indiscriminately?—A. No, sir.

Q. You have had nothing to do with the live lobster market?—A. No.

Q. And there is no opportunity of shipping live lobsters from here?—A. No, sir.

Q. Do you know of any instance where a fisherman has suffered injury or loss by the refusal of the canner to take his lobsters?—A. We have had no experience of it here.

Q. Is it to your knowledge that there is any combination on the part of the packers to keep the price down?—A. We have only one packer here.

Q. Do you think the fishermen would make more money if allowed to can for themselves?—A. I don't know. I don't think they would if they got a reasonable price from the packer.

Q. Would a strict enforcement of the 8-inch limit do harm?—A. It would close the factory.

Q. And shut the fishermen out too?—A. And shut the fishermen out too.

Q. Do you think it would be wise to insist upon a certain style of trap, would it be possible to protect a fair number of the small lobsters by fishing any special trip?—A. Yes, I believe the old fashioned double ender would be the right kind of trap.

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Q. What space would you recommend to have between the slats?—A. I don't know, I believe we lath them here about right. I don't know just the inch or fraction of an inch they are apart.

Q. You never fish in the fall here?—A. Never.

Q. Is there anything you would like to state yourself?—A. I don't believe there is. You went into the whole thing.

Witness discharged.

ANGUS A. MACDONALD, fisherman, Arisaig, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. About twenty years, I guess.

Q. Always in this place?—A. Yes.

Q. Do you fish for the same cannery as the last witness?—A. Yes.

Q. And you use the factory gear?—A. Yes, sir.

Q. After the lobster fishing is over what is your occupation?—A. Fishing.

Q. Do you fish for cod?—A. Yes, anything that is going.

Q. Do you belong to the Fishermen's Union here?—A. Yes, sir.

Q. How far off shore do you carry on your fishing?—A. From about a quarter of a mile to not more than two miles.

Q. In what depth of water generally?—A. In about thirteen fathoms.

Q. Do you fish the whole season in that same water?—A. Well, yes, outside, but most of the traps that are inside move about quite a lot.

Q. In an attempt to follow the fish?—A. An attempt to get some of the traps on new ground.

Q. What style of trap do you fish?—A. The old style.

Q. What is your experience in the fishery, is it as good as when you first began to fish?—A. No.

Q. To what extent would you say it has diminished?—A. I don't know. I suppose it is down to about half.

Q. To get the same weight of fish you require to fish harder with an increased amount of gear?—A. Oh, yes.

Q. Are the lobsters as large now as when you first began to fish, will they run as large in the average?—A. Oh, no, they will not.

Q. What proportion would you say now are under the 8-inch limit?—A. I would say that about a half of them are under the 8-inch limit.

Q. And what proportion of the total catch of lobsters are berried lobsters?—A. I would say that about 5 out of every 100 are berried lobsters.

Q. That is taking the whole season through?—A. Yes.

Q. There are more at some times and less at others?—A. Yes.

Q. At what time of the season would you expect to find the largest percentage of berried lobsters?—A. The very first of the season, that is when we get the traps out here first.

Q. That is the first week in May?—A. Yes.

Q. Is there much increase in the number of traps fished here now compared with the time when you began?—A. Oh, yes, a little, not much.

Q. Of course you are not crowded with canneries; you have your ground to yourselves?—A. Yes.

Q. What do you think of the proposal to register and license the fishermen, do you think there would be any good results from it?—A. Well, I don't know in the world. I don't believe it would be of any benefit.

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Q. You do not think that having—A. Having a license to fish lobsters would be of any benefit.

Q. Would it not benefit a fisherman to have a license?—A. Not in a case of this kind. Here, Bob Whitman is the only packer, and if he gets anything against the fishermen, me or any other fisherman, he could make me guilty of fishing illegal lobsters. Then I don't fish any more.

Q. How does the price paid for lobsters to-day compare with what you got when you began?—A. We get a better price now.

Q. A case of lobsters to-day is worth a good deal more than it was then?—A. I suppose it is.

Q. Are the fishermen generally satisfied with the price they get from the canner?—A. Well, yes, I guess they are.

Q. What has been your practice in the past with regard to undersized and berried lobsters, did you bring everything ashore?—A. Everything came ashore.

Q. Until this year?—A. Yes.

Q. What would you say with regard to this year?—A. I threw away all the spawn lobsters, and anything I would be ashamed to take ashore I threw away also.

Q. Do you think the small lobster makes much attempt to get out of the trap when you commence to haul it up?—A. I guess they do.

Q. My idea is they generally grab hold and hang on?—A. No, they try to get out of the trap. Some of the lobsters will get out, too, very quickly.

Q. Then if that is the case, having a regulation governing the distance between the slats, especially the bottom slats, would have some effect in allowing small lobsters to escape?—A. Yes, I guess so.

Q. Many of the traps we have seen in different places have slats that are not more than half an inch apart; it is pretty hard for anything to get out through that small space?—A. Yes, I guess so.

Q. The fishermen have told us that a 7 or 8 inch lobster can get out through that space. It must be pretty soft shelled, I think?—A. Yes.

Q. What is your experience with regard to the spawn lobsters; do you find more of them off shore, or do you get the most in the deep water when you commence fishing?—A. Yes, most of them are in the deep water when we begin.

Q. At the very last of the season when you are fishing in shoal water what sort of run do you get?—A. Oh, a kind of small.

Q. Do you think the greatest harm is done to the fishery during the last ten days of the season?—A. Yes, I believe it is.

Q. Have you ever remarked the size of the smallest berried lobster you have ever seen?—A. No, I have not. I have always found berried lobsters large lobsters.

Q. We hear a great difference of opinion. Where they have kept count of the lobsters and measured them, they find very few under 8 inches?—A. Very few, yes.

Q. Do you think the number of hatcheries, where they can be established, should be increased as one means of preserving the berried lobster?—A. Yes.

Q. You can only have hatcheries where there is a considerable number of canneries close together because the latter furnish the eggs. Do you know if there is any place in this neighbourhood where pounds could be established?—A. No, I do not. I have no idea where such a place could be established.

Q. Has the practice of stripping or washing the eggs from the female lobster ever been followed by the fishermen in this neighbourhood?—A. I don't know.

Q. That is practised, I think, where the canner refuses to accept such lobster?—A. Yes, that is so.

Q. If the canners refused to accept berried or undersized lobsters would it have the effect of inducing the fishermen to return them to the water?—A. Yes, sure.

Q. You heard the evidence given by the previous witness, do you endorse what he said?—A. Yes.

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Q. Have you any knowledge of the live lobster trade at all?—A. No.

Q. Which do you think is the most profitable to the fishermen, selling the lobsters alive to the market, where that can be done, or to the canner?—A. I have no idea.

Q. Which proposition appeals to you as the most likely to protect the fishery and cause the least injury to the fishermen; closing down for several years altogether or by sections, or shortening the season and protecting the berried lobsters?—A. Shortening the season and protecting the berried lobster.

Q. What do you think of the department's policy with regard to restricting the number of canneries?—A. Oh, I think there are canneries enough for all the lobsters there are to catch.

Q. Do you approve of the policy of granting licenses to can on the co-operative plan?—A. Yes.

Q. Would you suggest any change in the opening date of the season; it opens with you on the 20th of April?—A. I think the 1st of May is early enough, because we never get out very much before that date. We are generally losing our time, there is generally ice floating around here until the 1st of May.

Q. Within your experience when did the decrease of lobsters first begin?—A. I would say about 13 years ago as a witness said before, 12 or 13 years.

Q. What do you attribute that decrease to?—A. I don't know unless it was catching everything that came.

Q. Within your experience has there been any material decrease during the last five years?—A. No, I do not think during the last five years.

Q. You have off seasons of course; even in the good years there were seasons when you did not catch lobsters?—A. This was a poor season owing to the storms.

Q. Was there much loss of gear?—A. Oh, yes, quite a lot.

Q. Do you lose gear every year?—A. No, not every year.

Q. How long will a lobster trap last?—A. Four years.

Q. Are the traps attacked by the borer here at all?—A. No.

Q. When do you make your best fishing?—A. In May.

Q. Have you any idea how many days you actually fish in a season?—A. 38 days, but this last season only from the 8th of May to the 28th of June. We had that number of hauls.

Q. Is there anything you think of yourself that you would like to state?—A. No. I guess you have asked pretty nearly all that is required.

Witness discharged.

Commission adjourned.

BALLANTYNE'S COVE, August 13, 1909.

JOHN MCGILLIVRAY, fisherman, South Side, Cape George, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing?—A. Since I was eight years old, not in lobster fishing. I think I fished lobsters, the first fishing that was done on this shore. That is about 30 years ago and I have been fishing off and on ever since.

Q. Always on the coast?—A. Always on the coast.

Q. Are you a member of the Fishermen's Union?—A. Yes.

Q. How many fishermen fish in this particular cove?—A. I think over 30 boats.

Q. Do they own their own gear and boats?—A. They all own their own gear here.

Q. And boats also?—A. Yes, and boats.

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Q. What style of trap do you fish?—A. The long trap with two heads.

Q. That is the old fashioned trap?—A. Yes, sir.

Q. What space do you generally allow between the slats?—A. All kinds. They are down to a little better I guess than a lath apart.

Q. What space would you say it was?—A. About an inch, better than an inch. Off and on about that.

Q. And what is the size of the mesh in the ends?—A. About the same as the laths.

Q. That is an inch square?—A. Yes.

Q. And what sized hoop do you use?—A. The little bow?

Q. Yes?—A. Four, and some four and a half.

Q. Is that the same style of trap that you commenced fishing with 30 years ago?—A. Yes, the same trap only we are more active at building traps and lath them a little closer than we did at first.

Q. At about what time do you begin to fish?—A. 20th of April.

Q. Are you always able to get out at that time?—A. No, sir.

Q. What time did you get out this spring?—A. We got out some time about the first part of May, about the 10th of May.

Q. What kept you so late?—A. Ice and bad weather.

Q. How far off shore do you first set your traps and in what depth of water?—A. Last year we set them out earlier. Last year I set out I suppose over two miles in fourteen or fifteen fathoms.

Q. Do you fish all season in the same depth of water?—A. No, we come in. This year because we were later we did not go out quite so far. The fish move in though.

Q. About when do you shift in?—A. First? About the middle of June.

Q. When is the best of your fishing?—A. About the start. We meet the fish outside.

Q. Have you any idea where the lobsters come from; do they come from the gulf or the straits?—A. We always believed they came off the banks, in those waters out here.

Q. Do you think they winter in St. George's bay?—A. I could not tell you that. It is my experience that they live on the banks out here because there are none in real early, so they move in.

Q. How does the fishing compare now with what it was the first year?—A. It is a little hard to tell that because we are taking them by weight now and by count at that time. I think they are just as numerous but they are lighter in weight.

Q. It takes more of them to make up the weight?—A. Yes.

Q. How did they run to the hundred pounds when you first began fishing, have you any recollection?—A. I counted them myself last summer and there was about a hundred and some odd would go to the hundredweight.

Q. A hundred and how many?—A. Perhaps 128.

Q. Perhaps 128 or 130 to the hundredweight?—A. Then there are seasons when they are lighter again and times when they are heavier.

Q. When do you get your best fishing?—A. At the start. They are fuller towards the last of the fishing.

Q. They will weigh more?—A. Yes, they will weigh more.

Q. Now as to the run; will they average as large towards the close of the season as when you first meet them outside?—A. No, they are perhaps a bigger fish. Last summer I had a larger catch of fish right in the land wash, just in handy to the rocks.

Q. How close do you go, into what depth of water?—A. One fisherman up here told me the traps would be half dry and then they would get good fishing when the tide rose.

Q. Still on the whole the lobsters are not as large as when you first began to fish?—A. No.

Q. Are you fishing more gear now than when you first commenced?—A. Yes, double. 120 traps I used to have in the olden times and we go 240 traps now and 200.

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Q. The same style of trap?—A. Yes.

Q. It takes nearly double the amount of gear to give you the same return?—A. Yes, sir, it does.

Q. Do all the fishermen own their own boats and gear here?—A. Yes, I don't know of any that do not.

Q. What is the practice here with regard to the regulations? What we want to find out is whether the regulations have ever been observed. The regulations say you must not take berried lobsters or any under eight inches?—A. Well, my boat was full of small fish last year. My son went to work and put a measure in the boat because we were not supposed to take any lobsters of such size.

Q. What size were they?—A. I think about seven inches. My son measured them, but only threw away three or four. Those three or four were about four or five inch lobsters.

Q. How about the female lobster with berries; what has been the practice in years past with regard to her?—A. I am on oath and to tell the truth. Some used to wash them off and some to scrape them. You had no other way to do. If you threw that lobster away to-day, another one would catch it to-morrow. Sure death for them I fancy. I might let her go and another one would catch her to-morrow. Another fisherman might throw her away lest his boss got stuck. That was my experience of it.

Q. How did they do at the cannery, did they refuse to take the berried lobsters there?—A. They would not be getting the spawn lobsters if the fishermen were throwing them away or washing the seed off.

Q. Did they object at the cannery to taking them?—A. Oh, they did here, they were on the watch all the time here. They have been here nearly every day on the lookout for spawn lobsters.

Q. What price did you receive for lobsters this year?—A. \$2.25 per hundred weight.

Q. And last year?—A. \$3.50.

Q. And what was the price in previous years?—A. \$3.50 for a good many years.

Q. And when you began to fish originally what was the price?—A. 50 cents, but we did not own any gear.

Q. You fished the factory gear then?—A. Yes.

Q. And the price was by count then?—A. 50 cents a hundred by count and furnished everything. They would never see you stuck on bait.

Q. And now you have to supply your own bait?—A. Supply everything. First we did not furnish anything only our bait.

Q. It has been suggested as a way to get the fishermen all over the coast to obey the regulations that the fishermen should be licensed; do you think that would have any good effect in inducing them to observe the regulations? The idea would be that if a fisherman continually violated the law we would not give him a license and would not allow him to fish lobsters?—A. I think this is a free country. I would not approve of that. That is cutting out some fishermen and taking in others. That would mean that you could do what you liked with fishermen and poor men who wanted to make a bite for their family. It would not do any good a license of that kind, and the fishermen would not agree to it at all.

Q. What is the best thing to do to get the fishermen to carry out the regulations, because over the greater part of the coast a large part of the lobsters caught are below size?—A. I think they are pretty strict here. Lobsters under 8 inches are not worth being taken in; they are thrown away. There are no lobsters brought in 4 or 5 inches in size. Anyone would know that by the naked eye.

Q. And they are not brought in you think?—A. No, they are never brought in or packed.

Q. Have you any idea how many female lobsters with eggs there would be to the hundredweight; what percentage?—A. You are more apt to catch them when you come in later in the season. At the first going off there is none at all hardly. You

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might get six or seven some days. Other days hardly two, and other days perhaps ten.

Q. What would be a fair average?—A. About between four and five a day.

Q. And that would be how many to the hundred?—A. About four out of a hundred weight. That is my experience. I fish days that I don't see any at all.

Q. And you tell us the practice of washing or stripping off the eggs has been carried on?—A. Oh, well, I believe it has because I heard the fishermen talking about it through the winter.

Q. Have the canners in this neighbourhood ever objected to receiving berried lobsters at the canneries?—A. Oh, they do. They objected every time. I was one of them myself. I do not want to take the spawn lobster, but what can I do? That is the state of the fishing. Put the spawn lobster out of your trap to-day and he is in another man's trap to-morrow or in your own again.

Q. The fishermen ought to recognize that the spawn lobster should be protected?—A. We are always talking of it, but could we do it? We cannot afford to make a pound for her.

Q. Is there no chance to make a pound here?—A. There is one of the greatest places in Canada right here.

Q. Whereabouts?—A. Right in this wharf. There is clear water enough if it were off a piece.

Q. It must be in a sheltered place; it is a pretty difficult place here to build a wharf that will stand?—A. We had four or five vessels in this last gale to seek shelter and one of them was loaded. If the wharf was built a little higher there would be no difficulty at all.

Q. How would it be if the government bonussed a small steamer to bring the lobsters in and then release them at the wharf?—A. That is always what we are talking about. To tell you the truth, the fishermen do not know what to do. The berried lobsters are there in your way and this heaving out a few they are going to die. We fishermen are old enough to understand that.

Q. Is it possible to bring them in in boats and turn them out alive?—A. Yes, sir.

Q. You would keep a certain proportion of them alive, I suppose, but not all?—A. You mean without a pound? I know of a lobster that was let go here that was caught three miles away, taken by a fisherman.

Q. Was he marked?—A. He was a black lobster and they put a mark on him. So he told them on the shore. It was in the first of the fishing that happened.

Q. How do the fishermen make arrangements for fishing lobsters? Who fixes the price?—A. We don't know until we get the price. This year they let us know, but it was late. The factory was closed and opened again. There was nothing in it this year. It did not pay the fishermen at all. When they figured for their grub and everything they did not make ten cents a day. I always figure just what the fishing costs me.

Q. What is the average weight of lobsters caught by a fisherman in a season?—A. I suppose other fishermen would know it better than I would. I do not go over five or six thousand pounds.

Q. When do you knock off fishing? Did you fish right up to the 10th July?—A. Yes, we did this year. Last year they closed us down. They handled us as they like, so we formed a union to try and do a little for ourselves.

Q. The practice of the department in the past has been to restrict the number of canning licenses; except in the case of co-operative associations no canning licenses have been issued for several years now; do you think there are canneries enough?—A. Well, there is where they have got the hook on us. They got us there all right and they just stuck it to us. This year we got quotations from all parts of the world, and in France it was a shilling higher for canned lobsters than last year.

Q. Per case?—A. Yes, per case. We know all these things now and before we did not know anything. They are making the money now and we are not making a

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cent, and the natives have to leave the place if they don't get justice. It has been going one-handed like that.

Q. What are most of the fishermen here?—A. They fish right through. There are lots of farmers and fishermen. There are always two out of a house that will fish steady, they shift about like that.

Q. You know very likely that the only new licenses for canning issued of recent years are what they call co-operative licenses. That is where a number of fishermen who are associated together ask for a license and say they are able to open a cannery and conduct it?—A. We are looking for one of them.

Q. Are you trying to organize an association of that kind?—A. Yes, sir, we are looking for it. The canners have it all to themselves and we have nothing. They never caught a lobster, these men, and they commence to cut down those who are always fishing. They are in possession and we are not. They will make you believe they will close the factory here and the other factory will close. They will make you believe anything.

Q. Is there any other factory here?—A. There is one at Morrystown, about seven or eight miles from here.

Q. Who owns it?—A. Burnham & Morrill.

Q. Do you know anything about the live lobster industry?—A. No, I never shipped anything from here.

Q. Are there any facilities for the carrying on of the live lobster trade?—A. The Strait of Canso is not very far from us if we only had a boat to take the live lobsters there. But we are bound down so that we cannot get anything.

Q. Do you think there would be more money in the live lobster trade for the fishermen?—A. Oh, yes, we get a lot of big lobsters here.

Q. What was the size of the largest lobsters you caught here?—A. We caught lobsters here 8 and 10 pounds and we caught one weighing nearly 14 pounds. I have caught them myself, 5, 6 and 7 pounds.

Q. There are no hatcheries in this neighbourhood?—A. No, sir.

Q. Do you think the hatchery is one method of saving the berried lobster?—A. I have had no experience but I think the best hatchery we could get would be the simplest, to put the spawn lobsters in the water. I think that is as good a hatchery as there is.

Q. One remedy suggested for the improvement of the fishery is to shut down for two or three years?—A. I would not suggest that at all. That would be ruining the fishery and the young men would have to leave. I believe there is on the average as big fish as ever coming in and larger, that is an odd one.

Q. Then it has been suggested to close down the fishery by sections?—A. That would never do, the like of that, in my experience.

Q. Another remedy proposed is to shorten the fishing season, provide for the protection of the berried lobster in some shape or other, insist upon a kind of trap that will allow a fair proportion of small lobsters to escape and do away with the size limit.—A. I was one of the men that tried that myself. I put the laths wide apart and put a big head in. My belief is that I put the laths too far apart and if a 10-inch lobster can get his tail out through he is going to squeeze his body out. If there is a mesh broken you will get no lobsters big or small. I believe the big fellows won't allow the small lobsters in. They just chase them out. But anywhere the lobster will get his tail out he will get his body through.

Q. There are a good many traps with only half an inch space between the laths; there is no doubt they interfere with the escape of small lobsters, especially the parlour trap?—A. There is no parlour trap here. I think the trap we have is the right trap. I know one fisherman here that rigged out 100 traps. I told him myself: 'You are making a mistake in lathing them too far apart.' He told me 'My lobsters never paid for the laths that went into the trap.' He was a brother of mine.

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Q. How far apart did he put the laths?—A. They were fully over an inch apart, there was just the distance of the pole of a hammer. We used to have them that they could take a lath as a gauge.

Q. Do you fish with that space now?—A. We would not catch any fish.

Q. You would lose too many?—A. Yes.

Q. What would you think of doing away with parlour traps and somewhat shortening the season, knocking off say on the 1st of July instead of on the 10th?—A. We have such an awful short season here. We have not got two months and ten days at all.

Q. As far as the season goes it is practically the same everywhere?—A. Our season is too late here. The 1st of May to the 20th of July is a good season. That is what we want here too.

Q. Is there anything else you would like to say?—A. I have not got anything else to say. As to the fishing here these companies when they come here, when they send a man here, they lie to the fishermen and all like that and we fishermen are not in it at all. We have taken a hatred against them and are trying another way of getting around it. This summer there was dang near being a battle, but still we fished for \$2.25 and we have nothing for it. That market for fresh lobsters is what we are looking for if we had some boat that would take them out of here. The Strait is only about an hour and half's run from here and we could ship them there. There are about from 10 to 15 in every hundred of lobsters fit for the live lobster market. That is why we are looking after all these things this summer.

Q. Is there not some party in Mulgrave that buys live lobsters?—A. I suppose there is. But I do not know these people. I have nothing else to say but that the spawn lobster should be looked after and corralled in deep water right out a piece. They are all right in deep water. Put the fish there and let them go and they can spawn there and the spawn will give you lots of lobsters. I believe it is a great way of making the fish numerous. The poor fishermen get 10 or 12 of these spawn lobsters and they don't know what to do with them. If he lets them go another fisherman may take them and then they are lost to him.

Witness discharged.

ALEX. McDOUGALL, fisherman, Ballantyne's Cove, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. About 27 years.

Q. Do you do any other fishing when the lobster fishery is over?—A. I did in former years, but not in these latter years.

Q. Are you a member of the Fishermen's Union?—A. Yes, sir.

Q. How many members has it here?—A. I can't exactly tell you.

Q. What district does it embrace? Does it go away to Merigomish?—A. No, it comes to Arisaig, and the other way it goes up to the head of the bay here.

Q. Are you fishing for the cannery here?—A. Yes, sir.

Q. How long have you fished for them?—A. Ever since they started business here, all of 14 years ago, I think.

Q. When do you begin to fish in the spring?—A. Well, the season opens 20th April. Some years we start 20th April, and more years we don't start until the 1st of May, 10th of May, 8th of May; it depends on the ice.

Q. When did you start this year?—A. About the 8th or 10th of May I think.

Q. This was a late spring then?—A. A late spring.

Q. Did you have a very rough season?—A. We had a very rough season.

Q. Was there much gear lost?—A. Quite a lot, more gear than I ever saw before.

Q. Was it destroyed by rough weather or ice?—A. Rough weather.

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Q. I suppose the damaged gear was in shoal water?—A. The shoal water gear gets it the worst.

Q. What depth of water do you fish in when you begin?—A. I fish in from 6 to 8 fathoms, and some spots shoaler than that. I run along shore, I don't run in and out.

Q. You don't go off shore, you fish parallel with it?—A. Parallel with the shore.

Q. What number of traps do you fish?—A. 150 traps.

Q. Do you fish alone?—A. I hire a boy.

Q. Do you fish the old fashioned trap or the new trap?—A. The same old trap.

Q. What is the best time of your fishing?—A. The first start is the best with me anyway.

Q. How do the fish run; do you get a better run of fish at the first start than towards the back end of the season?—A. I get a better run at the first start.

Q. When do you see the most berried lobsters?—A. Well, towards the 1st of June up to the 1st of July.

Q. Can you tell me how many out of every hundred you catch are lobsters with berries?—A. It will average about 10 or 12 some days. There would not be perhaps over two or three some days, and some days there would be eight or ten.

Q. Then the average would be somewhere between that?—A. Yes, somewhere between that.

Q. What size do the berried lobsters generally run?—A. They generally run from about 8 or 9 inches, and 9 or 10 inches.

Q. Did you ever see any under 8 inches?—A. I cannot say that I did.

Q. The berried lobsters are generally good fair lobsters?—A. Yes.

Q. Do you think that the style of trap makes any difference in the catch; have you ever seen the parlour trap?—A. Yes, sir.

Q. Do you think the parlour traps catch an unfair proportion of small lobsters?—A. I don't know that they catch any more than the other kind of traps, but of course they hold better. The small ones are more apt to get out than the big lobsters, and the parlour trap holds them better.

Q. Do you not think the parlour trap is a means of catching a lot of small lobsters that would escape out of the other traps?—A. Sure. That is the idea of having the parlour traps.

Q. What price did you receive for your lobsters last year?—A. We got \$3.50 last year and the year before. This year we only got \$2.

Q. How do the packers account for the price going down?—A. They said it was a slump in the foreign market.

Q. Who fixes the price of lobsters?—A. It is Mr. Daly in Pictou.

Q. Is he the manager for Burham & Morrill?—A. Yes.

Q. The price began at \$2 but did it not go up to \$2.75?—A. He paid \$2.25 after we struck.

Q. Were you later in beginning to fish?—A. We were. I suppose we lost four or five days, but still there was no bait up to the time we did start.

Q. Do you supply your own bait?—A. Yes, sir, herring always.

Q. What is your experience with regard to bait; does the lobster take the stale bait as well as he does the fresh?—A. It is hard for me to say. Sometimes with a lot of stale bait we get as many lobsters as we would with the fresh. You would naturally think that the fresh bait would be the best.

Q. What has been your practice with regard to undersized and berried lobsters; has everything gone to the cannery?—A. No, the canner would forbid bringing them in.

Q. Has the canner always done that?—A. Oh, yes, always. When we would start in he would always give us the rules and tell us we would have to abide by them.

Q. He would not take anything under what size?—A. Under 8 inches, I think.

Q. Did the canner live strictly up to that, do you think?—A. I cannot say that

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he did. I don't think myself they can run the factory and live strictly up to the rules.

Q. And it would not pay the fisherman to fish would it?—A. No, I don't think so.

Q. And live strictly up to the rules?—A. No.

Q. The berried lobsters must be saved?—A. Oh, sure.

Q. Don't you think they ought to be saved?—A. Oh, yes.

Q. What has been the practice, have the berried lobsters been stripped generally?—A. The fishermen were ordered to let them go, but I can't say they were letting them go.

Q. What do you say is the lobster spawning season?—A. Somewhere between the 1st and 20th of July. That is as near as I can get it.

Q. What would you suggest yourself as to the best way of saving the berried lobsters?—A. The best way I see it can be done is to shove them into a hatchery somewhere.

Q. Buy the berried lobsters and take the eggs off?—A. Buy them and take the eggs off in a hatchery.

Q. What do you think about the licensing of canneries?—A. As far as the licensing is concerned I don't think it would be pretty hard to remedy. I don't think any more licenses would help us out any.

Q. Supposing the fishermen were allowed to can for themselves?—A. I don't think that would last very long either.

Q. As a remedy for the trouble that is evidently occurring between the fishermen and the canners in some places the department have apparently decided to grant co-operative licenses?—A. Yes, I am aware of that.

Q. The co-operative method of packing has been tried in some places?—A. I guess they tried it up at Cape Breton this summer, but I did not hear the result.

Q. It was tried on the other side of the bay at Port Hood?—A. Yes.

Q. But they were very late in beginning and they did nothing at all and had to get help from various directions?—A. I am not in a position to say how that would work at all. For my part I would rather get rid of my lobsters when I am sure of them.

Q. Do you think if the average fisherman gets a fair price, he will do better than running a cannery himself?—A. I think so.

Q. That requires capital, ability, and experience, things a fisherman has not always got?—A. It requires lots of things.

Q. What do you think about the establishment of more hatcheries, would you favour an increase in their number?—A. Yes, sir.

Q. Are you aware of any fisherman having lost his catch of lobsters by the canner refusing to accept them?—A. No.

Q. That has not occurred here?—A. No.

Q. What do you think about the live lobster business, is it your opinion that where it can be conducted the fishermen would get more money by shipping his lobsters alive to market than selling them to the canner?—A. It would not pay a man to go fishing lobsters and ship what he can ship from here, because he will not get enough big ones to pay him. It would be all right if the factory agreed to take the small ones and ship the big ones.

Q. They are not likely to do that, I suppose?—A. I don't think so.

Q. What do you think would happen if the present size limit of 8 inches were strictly enforced?—A. Well, it would be pretty hard to live up to it.

Q. Do you think the cannery could run and the fishermen continue fishing?—A. It would be tight work for them.

Q. Is it your opinion that there is any combination among the various packing firms to keep the price down?—A. Well, we were told there was, but we are not well enough posted to decide for ourselves. We were told by our head man that there was.

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Q. Is there any illegal fishing done on this coast, that is fishing after the close of the season?—A. Not that I am aware of, unless it would be young boys setting out traps to catch some to eat.

Q. Is there much gear left in the water at the close of the season?—A. Well, I think there was here some years ago, but to-day the fishermen own their own gear, and they are careful about getting it ashore.

Q. There have been various propositions made to the department as to the best thing to be done. One suggestion is that we should stop fishing and canning lobsters for a few years, until the lobsters grew as large as they formerly were?—A. I don't think it would work at all. I don't see what would become of the present gear or of the fishermen.

Q. Is there nothing else they could turn their attention to?—A. They might turn to something else, but it would be at the loss of their boats and gear.

Q. It would not pay to carry on other fishing if the lobster business were shut down?—A. I hardly think so.

Q. Another proposition is to close down in sections?—A. That would be no good, I think.

Q. Still another proposition is that we should try to regulate the size of the trap so that it would not catch too many small lobsters, protect the berried lobster in some way, and cut off the season a few days?—A. A hatchery is the best that I know of to take care of it.

Q. Would it seriously cripple the fishermen in this neighbourhood if they had to cease fishing on the 1st instead of the 10th of July?—A. It would not, but I have heard some of the fishermen remark that they would like to have from the 1st of May until the 20th of July.

Q. The idea would be, if we did away with the size limit, to protect the small lobsters, by requiring a wider space between the slats in the trap, and cutting off part of the season?—A. It would be pretty hard to do it with the traps.

Q. But you think the traps would not make any difference?—A. Of course in the spring of the year when the water is cold the lobster is a kind of dead, there is not much life in them, and mostly any kind of trap will hold them. As the water commences getting warm in June and July the lobster gets smarter, and will crawl out of a very small hole. You might build your trap of the ordinary size in order to let the small lobsters out, but it would still hold them in the beginning of the season.

Q. Do you think later in the season a fair proportion of small lobsters will escape?—A. No doubt.

Q. In some places they are canning lobsters down to 3 and 4 inches; there are very few lobsters of 8 inches at all?—A. Very few in some places.

Q. And the parlour trap apparently is responsible for that entirely. If they did not have that trap they would not catch so many small lobsters?—A. The only difference I see between the parlour trap and the trap we use, is that the parlour trap is better for holding the fish.

Q. We find in a great many places that the parlour traps are built with only half an inch space between the slats; nothing will get through that?—A. No.

Q. Do you think lobster fishing should be kept farther out from the shore? Some people have suggested that we should not allow fishing too close inshore because by doing that they capture very small lobsters?—A. To tell you the truth as far as I know, I catch more lobsters in shoal water than I do outside, and I think as a general rule—

Q. What you call shoal water is three or four fathoms?—A. Yes.

Q. But supposing a fisherman fished in one fathom of water?—A. There is a time of the season when there are no lobsters at all outside, hardly any, and they move their traps in.

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Q. It has been asked that fall fishing be allowed in some districts owing to the delay in commencing the present fishing season caused by the presence of ice; what would you have to say about that?—A. I would say it would be all right.

Q. Have you ever fished in the fall at all?—A. I fished here long ago up to the 20th of August, years ago.

Q. How did you find the fishing then; there were of course plenty of lobsters?—A. They were coming up a little from the 1st of August up to the 20th, but lobsters were so plentiful then that you could get them at any time.

Q. Have you any idea how many lobsters it takes to fill a pound can?—A. I think it takes from 7 to 8 to fill a pound can.

Q. Has anybody ever tried shipping live lobsters here?—A. No, sir, they never had any chance to do it.

Q. Is there anything you would like to say yourself concerning any subject I have forgotten or omitted to touch upon?—A. I know that our evidence varies a lot. You take the fishermen and every one has a different idea.

Witness discharged.

ALEX. MCINNIS, fisherman, Ballantyne's Cove, called and sworn:—

By the Commissioner:

Q. Where do you belong, Mr. McInnis?—A. Around here.

Q. How long have you been engaged in lobster fishing?—A. About 22 years.

Q. Always in this place?—A. Yes, sir.

Q. Have you always fished for the same cannery here?—A. Always the same cannery.

Q. Has the cannery always had the same manager?—A. This is a new man. I worked a couple of years ago for another man before this one.

Q. Do you own your own boat and gear?—A. Yes, sir.

Q. Do you fish single handed?—A. I have got some one with me.

Q. How many traps do you fish?—A. 160 to 200. I fished 200 this year.

Q. In your experience does it take a larger amount of gear now to get the same weight of lobsters that you caught formerly?—A. Nearly double.

Q. How do you find lobsters compared with when you first began?—A. They were a good deal larger at first, they have run down.

Q. When did you first notice they were running down, has it been a gradual decrease?—A. It has been a gradual thing.

Q. Do you think they are still going down?—A. I think so.

Q. In what depth of water do you begin to fish?—A. I fish all the way from 5 to 10 fathoms.

Q. Do you fish in the bay or around the head?—A. I fish around the head. I have to go out quite a distance, about a mile off the shore.

Q. And do you fish in that depth of water all through the season or move in?—A. I never shift, I have always two lines running in and out.

Q. How many traps to a trawl?—A. About 100 to each trawl.

Q. Do you fish the old fashioned trap entirely?—A. Yes, sir.

Q. Have you always done so?—A. Yes.

Q. How is it the parlour trap is not used here?—A. They are getting into them now, some of them. Some of the southern shore fishermen at the head of the bay have started them.

Q. Is it safe to say that you have increased the amount of your gear to keep up the catch?—A. Quite certain. You could not catch the same amount of lobsters with the gear we started in with at first.

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Q. And is there a great deal more gear in the water around you than formerly?—

A. Yes, lots.

Q. Have you always fished the same number of boats?—A. Well, I expect there are a few more boats now than at first, when we started.

Q. Was it 12 when the fishery started?—A. It is away up to 20 now.

Q. What proportion of lobsters would you say were below the size limit of 8 inches?—A. Oh, well, there would be a good many if they were strictly overhauled.

Q. Would it pay you to continue to fish if the 8-inch limit were strictly enforced?—A. I don't think it would.

Q. What do you think would become of the canner if he were strictly tied down to the 8-inch limit?—A. I don't believe he would get enough to keep him going. In some places they might do it. On the north side there are bigger lobsters than on the south side.

Q. How is that, is it not fished out so much?—A. It is more out on the Atlantic there.

Q. There is deeper water?—A. Yes, here it is all penned in.

Q. Now, as to the price paid for lobsters. There seems to have been difficulty over a good part of the coast this year between the canner and the fishermen as to that; what price did you get this year?—A. \$2.25.

Q. And last year what was the price?—A. \$3.50 per hundredweight up to the 15th, and then they cut us down to \$3 after the first pay-day.

Q. That was last year?—A. Yes.

Q. How is that price fixed between the fishermen and the canner?—A. I don't know. They did not seem to agree on it very well.

Q. Does the canner at the opening of the season say what he is willing to give and no more?—A. He never gave it out until this year. We never used to find out until a week or two before pay-day. This year it was given out before the factory was opened at all. That is that the price was \$2.25.

Q. Did that lead to the formation of the Fishermen's Union or was the union in existence before that?—A. The union was in existence before that.

Q. And how did you eventually settle matters; this spring the canner did not open up, did he?—A. He did not open up. The fishermen came to the conclusion they would fish and if there was more pay elsewhere he would have to pay it. It was the same all round, I think. There were some places that they did not fish. In some part of Cape Breton they did not open up at all.

Q. How does the price you get now compare with that paid when you first began to fish?—A. It is better than what we used to get when we began to fish. Then it was \$1 a hundred by count.

Q. The price of a case of lobsters was then not as high?—A. No.

Q. What has been the practice here with regard to taking lobsters; has the canner been accustomed to taking everything that was brought regardless of undersized or berried lobsters?—A. They were a kind of strict at the first start.

Q. Do you mean this season?—A. No, every season with regard to small lobsters and berried lobsters.

Q. Do they become less strict towards the end of the season as to the lobsters they will accept?—A. Oh, yes, they would take everything that came in then.

Q. But they always endeavour at the beginning of the season not take small or berried lobsters?—A. Yes.

Q. What has been the practice of the fishermen in regard to berried lobsters?—A. Well, some chuck them out and others take them in. They are watching them very closely and sometimes they are thrown overboard. The canner does not take them if he notices them.

Q. Is there a fishery officer here and does he keep watching you?—A. Yes, sir, he is here very often. He visits the place about once a week.

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Q. He is on the lookout?—A. Yes, sir.

Q. Do you find more spawn lobsters inshore that you do off shore?—A. No, sir, I do not.

Q. How many out of every hundred you catch are berried lobsters with the berries outside?—A. There are some days you would not get any at all. Some days you might catch two or three out of a couple of hundred.

Q. Do you think there is any time when the lobster is not fit for food?—A. Well, I don't know as to that.

Q. Could you suggest any change in the regulations that will make it more easy to save the berried lobster; what do you think is the best way out of the difficulty, how are we going to protect that lobster?—A. If she could be put in some place where she would hatch. If you get hold of a berried lobster to-day and throw it out, another fellow might get it and take it in. The berried lobsters are destroyed in that way. If not taken into the factory she might die in the boat.

Q. Would it be possible for the fisherman, when fishing his trap, to put the berried lobster to one side, and bring her on shore in good condition?—A. I think so.

Q. You could have a special box or basket to hold them?—A. We could take her ashore alive all right. You have a lot of lobsters in a boat and they all come ashore alive. They are no good to can if they are dead.

Q. How long does it take you in ordinary weather to fish your traps and bring the lobsters in?—A. Generally as a rule it is 12 o'clock when we get into the factory, and we generally get out about five in the morning. If you have no distance to go and are handy to the factory you can do it in less time.

Q. When would you expect to find the most berried lobsters?—A. The time I generally find them is about the last of May. That is about the time they come, from that to the 1st of June.

Q. Various suggestions with a view of improving the condition of the fishery have been made to the department. One is to close down for a term of years?—A. There is no doubt it would help the lobsters a lot.

Q. And what about the fishermen?—A. It would be pretty hard on some of them because they depend on the lobsters.

Q. And there is no other fishery at that time to which they can turn their attention?—A. It would hurt lots and mean a lot of loss to the fishermen.

Q. Do you think a strict enforcement of the 8-inch size limit would shut everything up?—A. It would run pretty close and no mistake.

Q. The Lobster Commission of 1898 recommended shutting down by sections; what do you think of that?—A. Well, they shut down a couple of years at Arisaig, and started in again, but the fish did not run. They started up again but there was no change.

Q. Had the grounds in the meantime been fished by other people?—A. Not up there.

Q. And you say there was no improvement?—A. No, sir.

Q. Did they shut down with the idea of making any improvement?—A. Oh, I don't know that it was on account of that, but the firm did not run there. They shifted their factory and moved to another place.

Q. Another proposition is to arrange if possible for a trap that will allow a fair proportion of small lobsters to escape, do away with the size limit altogether, provide for the berried lobster in some way—either by releasing her or placing her in a pound or hatchery—A. That is the only way to save them.

Q. And in addition shorten the season by ten days; how would that appeal to you?—A. Well, they used to start about the 20th April.

Q. But you never did start in practice?—A. There was a couple of years we did, but this year we were held back until the 10th of May by the ice. We came to the conclusion if we got from the 1st of May until the 20th of July, it would be better. This early fishing is no good to us anyway.

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Q. If that were done would you expect to have the 8-inch size limit enforced strictly?—A. Well, they seem to be satisfied with the 8-inch limit around here.

Q. But supposing it were strictly enforced?—A. I am afraid it would close the factory. I think it would be better to do away with the size limit and take the ten days off.

Q. Have you known any fisherman to lose his catch of lobsters because the canner would not accept them?—A. Not that I know of.

Q. Is it to your knowledge that there is a combination on the part of the packers to keep down the price?—A. It looked like it this year because the companies seemed to have the same price.

Q. Do you know anything about the live lobster industry?—A. I don't know anything about it. There is no chance here to ship anything. They claim in other places it is a good idea.

Q. Would you get lobsters here large enough to ship?—A. You would get some. I don't say there would be a great many, but at the first set out you would get some.

Q. Where would you have to ship to, Mulgrave?—A. Mulgrave is the only place,

Q. Is there any steamer running to Mulgrave?—A. Only the *City of Ghent* that makes a fortnightly trip.

Q. How far are you from the railroad here?—A. Twenty-two miles.

Q. Have you had any experience of hatcheries?—A. No, sir, I have not.

Q. Is it your opinion that the establishment of more hatcheries would help?—A. I think it would.

Q. Do you know anything about the system of placing lobsters in pounds?—A. There is no chance here. If fresh water was needed there would be a good place.

Q. Do you think we can ever hope to preserve the fishery if we keep on taking lobsters before they have reached the age of maturity, if we go on killing of the young?—A. No, sir, we never will.

Q. What is your idea of fall fishing?—A. I could not tell you, sir; it has never been tried here.

Q. Are you a member of the union?—A. Yes, sir.

Q. I suppose all the fishermen belong to it?—A. Practically all.

Q. How often do you meet?—A. We had monthly meetings previously, but we did not have them for a couple of months now.

Witness discharged.

Commission adjourned.

HARBOUR BOUCHE, August 14, 1909.

JAMES CORBETT, packer, Harbour Bouche, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. About 20 years.

Q. Always in this place?—A. No, I have packed at Cape George and Bayfield.

Q. Was that before you came here?—A. I was here first; I started here.

Q. What number of cases did you pack in the cannery here this year?—A. I could not tell the exact number; somewhere about 1,100 cases. That was what the license is for.

Q. How does that compare with last year?—A. That is more than last year.

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Q. And more than the year before that?—A. I don't know about the year before; I was not here then.

Q. You do not know the year they have made the best pack here?—A. No, I do not.

Q. How many other canneries are there near you; where is the next cannery?—A. Mulgrave is the next nearest, and on the other side of it there is a small cannery at Long Point. They started very late; I guess in June.

Q. Who is it owned by?—A. H. L. Forham.

Q. About how many hands are employed in the cannery?—A. I think there must be 35 men, boys and women.

Q. Could you give me any information as to the regulations that are in force here; what is your season?—A. It opens 20th April and closes 10th July.

Q. The regulations of course are that berried lobsters and lobsters under 8 inches shall not be taken; what has been the practice in the past with regard to them at the canneries in this neighbourhood?—A. As to the size limit they have not taken any precautions. They take all that comes.

Q. You do not take lobsters 2 or 3 inches in size?—A. Whatever the fishermen will bring in. There are not many less than 4 or 5 inches. I do not know that there are any.

Q. And as to berried lobsters, what has been the practice?—A. Well, until this year they have been taken. This year they have not taken them; I don't think the latter part of the season anyway. There was a steamer from Canso came and took the spawn.

Q. Did she come here all the season?—A. No, I guess not until about the last month, or probably from the middle of May until we closed.

Q. When do you have the rush of your packing here?—A. Well, from the 15th to the last of May.

Q. How do the lobsters run now, compared with the time when you first began your connection with the industry, are they decreasing in size?—A. Oh, yes, very much.

Q. How many pounds of green lobsters does it take to fill a pound tin in your case?—A. We took four pounds this year, and last year four and a half. At Bayfield it used to take four and three-quarters. This year the lobsters run better.

Q. That means a pretty good run of lobsters?—A. Yes, that is very good. One reason for that is they got the lobsters in very fresh. Sometimes in a smack a lot of lobsters die, and that causes the average to slacken; you could not get at it very well. This year they had a better way of taking them in with a gasolene smack.

Q. Do most of the fishermen use their own gear or the factory gear??—A. They fish their own gear.

Q. All of them?—A. Yes.

Q. And how are they paid?—A. Paid by the hundredweight.

Q. At what rate?—A. \$2.25 this year. Last year \$3.50. The year before, \$3.50 to \$3.25. Part of the season it was \$3.50.

Q. Do you know how the price paid to fishermen is fixed?—A. I don't know. The packers say it is according to the market price.

Q. I suppose instructions come from the head office that they are willing to pay so much?—A. Yes, and of course here there is no opposition.

Q. Has there ever been any trouble between the fishermen and the packer here as to the price; is there a station of the Fishermen's Union here?—A. No.

Q. Could you give me any idea of the proportion of berried lobsters taken that would be below 8 inches; if the 8-inch size limit were enforced, would you be obliged to shut down?—A. Well I don't know that they would have to shut down because they could not get enough.

Q. It would cripple them at all events?—A. It would cripple them.

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Q. The practice of the department has been not to issue any new licenses, except to fishermen acting on the co-operative plan; what is your opinion as to the restriction of licenses, do you think there are canneries enough?—A. Well, I don't know. If it was to favour the fishermen—if there were more canneries it would be better for them no doubt.

Q. You think there would be more competition?—A. There would be more competition and it is likely the price would be better for the fishermen.

Q. Within the last few years the department have been granting licenses to fishermen who grouped themselves together and gave assurances that they were going to can on the co-operative plan; would you approve of that policy being continued?—A. Yes, certainly.

Q. Do you think it is a fair one towards the fishermen?—A. Certainly. It may not be taken advantage of here very much unless the fishermen could get a packer to pack for them.

Q. They have got to get a packer, a cannery and a regular outfit?—A. Yes.

Q. Do you know when this factory was first opened here?—A. This factory must have been here for thirty-five years.

Q. Was it always run by the same people?—A. No. A. Ogden, of Canso, opened it. He owned it and the Portland Packing Company bought it from him. The buildings on the wharf are leased from Mr. Webb.

Q. Do you generally run the whole season through?—A. No, we seldom run out the whole season. The lobsters get slack about the last of June, I guess, and the fishermen give up fishing; it does not pay them to continue at it. There might be an odd year they would run out to the last.

Q. As a rule when do you begin here?—A. Between the 1st of May and the 10th. It depends upon the bay ice, as soon as it gets away.

Q. To your knowledge have the regulations as to size and the berried lobster ever been observed; were they ever enforced or have they always been a dead letter?—A. Always a dead letter here.

Q. Do you think the fishermen would make more money if allowed to can for themselves?—A. Yes, I believe they would.

Q. And you think the policy of encouraging the fishermen to co-operate in canning is a reasonable one?—A. Yes, certainly, where they can do it.

Q. Are there any co-operative canneries in the neighbourhood?—A. None.

Q. Are you aware of any complaints made by fishermen that the price paid for lobsters by the canner is not satisfactory?—A. Oh certainly.

Q. Are you aware of any fisherman having lost his catch of lobsters by the canner refusing to accept them?—A. No.

Q. Do you know anything about the live lobster trade; has any attempt ever been made here to ship live lobsters to market?—A. Not from here.

Q. You are close to Mulgrave?—A. Yes, but they don't bother with them here.

Q. Would it be possible to get large enough lobsters; they must be up to a 10 inch limit?—A. It is 9 now. Yes, they could get enough lobsters.

Q. In your opinion which is the most profitable branch of the industry to the fishermen, the live lobster trade or the canning?—A. No doubt the live lobsters if they could get any quantity. Of course right here the lobsters are not as large, but there is a bank where the fishermen fish on, six or eight miles off.

Q. Out in the bay?—A. The lobsters are larger out there.

Q. It is a wonder the live lobster trade has never been tried here in view of your proximity to Mulgrave?—A. Yes, but they did not get into it yet.

Q. From your experience can you say whether or not hatcheries have helped to maintain the supply of lobsters?—A. We have had no experience of hatcheries around here.

Q. Would you favour an increase in the number of hatcheries?—A. I think so.

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Q. What do you think is the best way of protecting the berried lobster; of course if you destroy the berried lobster you destroy the mother which is breeding the stock and it must be wrong?—A. It is certainly.

Q. What is your idea as to the best way of protecting or preserving the eggs of the spawn lobster?—A. I think if there was a way of getting them to a hatchery.

Q. What do you think would happen if the canner refused to accept the berried lobster?—A. Of course the fishermen would have to put up with it that is all. It would be right that they should let those lobsters go.

Q. The proportion of berried lobsters is not very large, is it?—A. It would not be a big loss to the fishermen.

Q. What do you think of the idea of buying the berried lobsters from the fishermen and placing them in pounds, where they would be left to hatch out and released at the close of the season?—A. That would be a good way. That would, I think, be better, because it would be less expense than a hatchery.

Q. Of course it entails some considerable expenditure to make a pound and the lobsters have to be fed while there?—A. The fishermen would be paid for them just the same. I think that would be a good thing.

Q. There ought to be some corner in this harbour that could be fenced off; is the water salt enough?—A. Yes, but it has a muddy bottom. I don't know that that would be very good.

Q. Is there any other place in the neighbourhood where pounds could be established?—A. Inside the breakwater would be a good place. No doubt there could be a place found in this harbour.

Q. Is there any fishing done after the close of the season?—A. No, not here.

Q. What are the men engaged in the lobster fishery, are they purely farmers who only fish for lobsters or bona fide fishermen?—A. The fishermen of course do some farming but the most of them I think depend on the fishery.

Q. After the lobster fishing is over what fishing do they engage in?—A. Mackerel, herring and codfishing.

Q. Is there much gear left in the water at the close of the season?—A. Oh no, they take them in unless it is some old traps that are not worth taking in. Probably a few of them are let go but not many.

Witness discharged.

WILLIAM E. WEBB, fisherman, Harbour Bouche, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing lobsters?—A. About 12 years

Q. Have you always fished at this place?—A. Yes, sir.

Q. Do you fish your own boat and gear?—A. Yes, sir.

Q. What number of traps do you fish?—A. 250.

Q. Yours is a double handed boat, is it?—A. Yes, sir, two hands.

Q. Are most of the boats here double handed?—A. Most of the boats are double handed.

Q. Do you use a gasoline boat?—A. Yes, sir.

Q. What style of trap do you use?—A. Mostly parlour traps.

Q. When did you begin using the parlour trap?—A. About three years ago.

Q. What led you to change from the old fashioned to the parlor trap?—A. Well the parlour traps fish better and hold the lobsters better.

Q. What space do you allow between the slats of the trap?—A. About an inch and a quarter.

Q. When do you generally begin fishing?—A. About the 1st of May on an average.

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Q. In what depth of water do you fish?—A. Eight fathoms on an average.

Q. How far off shore would that be?—A. About three and a half or four miles.

Q. Do you fish practically the same ground every year?—A. About the same ground.

Q. Is there any station of the Fishermen's Union in this locality?—A. No, sir. I do not think so.

Q. Are you using more traps than you used to or have you always fished the same number?—A. No, sir, I am increasing the number.

Q. What number did you begin with at first?—A. About 150.

Q. And now it is 250; why is it necessary to fish more traps?—A. Well, we have larger and better boats.

Q. You do not find it necessary to fish more gear to keep up your catch?—A. Well, it is.

Q. Could you get the same weight of lobsters now with the same amount of gear that you began with?—A. I get a little more, but not a great many.

Q. Out of every hundred fish you catch, how many would you say are lobsters with eggs?—A. Not very many. At the first you hardly find any but at the last of the season you find more. That would not be many.

Q. Could you give me any idea about what the number would be?—A. I don't think they will average more than four to a hundred weight of fish.

Q. At what time of the season do you find the most of them?—A. At the last of the season.

Q. Do you find them where you begin to fish or in shoaler water?—A. I would not admit there are a few more in shoaler water.

Q. What percentage of the fish you bring in would be less than 8 inches in size?—A. Not very many. I often fired a lot overboard, small fellows. Three or four small fellows would spoil the whole lot. You are liable to be fined too.

Q. Did you ever hear of anybody being fined for violating the fishery regulations?—A. Yes, I did, but not fishermen.

Q. How many boats are there fishing from this neighbourhood?—A. I don't know that exactly. Just lobster fishing?

Q. In the lobster fishing season how many boats fish out of this harbour? We understand they smack a good many of their lobsters along the shore, but I suppose the boats that fish here deliver their lobsters at the cannery?—A. About six, I guess, about the harbour here.

Q. Is it the practice of the fishermen to move their traps closer inshore as the season advances?—A. Some seasons, it is according to the lobsters. Some seasons the lobsters haul in and others they do not.

Q. Would the run of lobsters be as large now as when you began to fish?—A. My own experience is that I do not see much difference.

Q. How has it been during the last 12 years?—A. I do not see very much difference.

Q. Are there more traps fished now in the neighbourhood?—A. Yes, I think so.

Q. The boats are fishing more traps as a rule?—A. Yes.

Q. Do all the fishermen here own their own boats and gear?—A. Yes, sir.

Q. The factory keeps none?—A. No, sir.

Q. I suppose the evidence given by the previous witness as to prices is correct; you got \$2.25 this year and last year \$3.50?—A. Yes.

Q. How is the price arranged between you and the canner?—A. He is giving the price you see. We cannot kick, he is making the price.

Q. You have to take what the canner pleases?—A. He is the boss of us, he has the money, and whatever he says, I suppose goes.

Q. What is the average fisherman earning, how many hundred weight of lobsters will the average fisherman catch?—A. Some catch more than others.

Q. Certainly, that is always the case; what will the catch of the average fisherman run per season?—A. How many thousand weight would a boat catch?

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Q. How many thousand weight is a boat supposed to turn in? You know what you turn in yourself?—A. I don't know that they average much more than 3,000 pounds.

Q. I suppose some will go a good deal more and some below that?—A. Yes, sir.

Q. Do you think that the parlour trap that you fish now catches and holds smaller lobsters than the old fashioned trap you used to fish previously?—A. No, sir, I think it will hold and catch the bigger lobsters. If the bigger lobsters will stay in the trap they will drive the little fellows out.

Q. What is your opinion about the method of licensing canneries?—A. Well, I think the more canneries and the more buyers the better price we will get. That is the reason the lobsters have kept at such a price, there is nobody else competing.

Q. Would the lobsters stand the drain if there were many more canneries and fishermen?—A. There could not be many more fishermen.

Q. They are not here to fish?—A. They are not here to fish. That is just the way it is.

Q. What do you think of the practice of issuing co-operative licenses to groups of fishermen?—A. I don't know much about that. It may be all right.

Q. What price did you get for lobsters when you first began to fish?—A. I think it was \$1.75.

Q. What has been the practice here in the past, have the fishermen expected the canners to take everything they brought ashore, undersized and berried lobsters and everything?—A. No, I don't think so. They would not take the spawn lobster.

Q. The canner would not take the spawn lobster?—A. No, sir, that has been the rule from the first, nor lobsters too small. Well, I don't know whether they will take lobsters too small. They will kick about it, sometimes they will take them and sometimes they won't.

Q. Has the practice been adopted among the fishermen here of brushing the eggs off the female lobster outside?—A. No, I don't think so.

Q. Do you think it would be possible to induce the fishermen by any means you know of to put the berried lobster back in the water?—A. That would be the best.

Q. Why do they not do it?—A. If everybody would do it that would be the best thing to do.

Q. How are we going to get everybody to do it?—A. That is where the trouble comes in. If everybody would do that it would be all right.

Q. I suppose one man says: 'If I throw the berried lobsters away some one else will catch them'?—A. That is just it. They won't fire her away, everybody does not do that.

Q. Has it always been the same with regard to undersized and berried lobsters or do you think the fishermen are getting more careful than they used to be?—A. I think they are getting more careful.

Q. Do you think they are beginning to understand that if they want the lobster fishery to last they must protect the berried lobster?—A. They are more particular.

Q. In taking berried lobsters out of the trap what was the smallest you saw with berries on?—A. I don't know, 7 inches, something like that.

Q. Do you think you have seen a berried lobster as small as 7 inches?—A. Yes, sometimes.

Q. What will be the average run of the spawn lobsters?—A. 9 inches, I suppose.

Q. They are generally good sized fish are they not?—A. Yes, 9 or 10 inches.

Q. You say the canner does object to receiving them at this factory?—A. He refuses to take them.

Q. Since how long has that been the case?—A. Well, that has mostly been the rule, but at the same time they are liable to pass one or two.

Q. What do you think would be the best way to get the fishermen to save the berried lobster; you are a fisherman and you know how they feel about it, what do you think would be the best way to protect her?—A. I would think let the lobster go when you catch her and let every man do the same thing.

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Q. As to the matter of fish hatcheries, do you know anything at all about them?—

A. I think they are a very fine thing if they hatch them all right and if the beam trawl don't come along and smash them up.

Q. Has the beam trawl been used here?—A. All last fall.

Q. In St. George's bay?—A. Sure, right up to the buoy you passed last night. That is close enough up to the ground. Of course I could not swear to it myself but they often told me they saw that fellow from their vessels pass across small fish on the water, destroying all the fish, codfish.

Q. What is the bottom like in the bay?—A. Rock and mud. The best part of it is mud, I think.

Q. Did you ever see any of the fish the beam trawl took?—A. I did not happen to be where he landed his fish in Mulgrave, but I happened to know that what he does not catch are smashed up.

Q. The beam trawl has not been there this season?—A. I don't think so.

Q. There has been a regulation passed keeping him out of the three mile limit, I do not think the beam trawl will be allowed to fish in the bay now. Do you ship any live lobsters from here?—A. We never had any market here. We never tried very hard to get them.

Q. But you are close to Mulgrave where they could be shipped from?—A. That is right.

Q. Have you any idea which is the most profitable branch of the industry for the fishermen, selling live lobsters to the market or to the canner?—A. I suppose that by shipping everything we would make better money out of it if there were buyers.

Q. Would you get enough live lobsters over 9 inches to make it pay?—A. If the fishermen joined together we could get a good many lobsters when lobsters are plentiful.

Q. What would you do with the small lobsters?—A. That is where the trouble comes in.

Q. The canner would not like to buy them if you shipped away the large ones?—A. Very likely not.

Q. There have been a number of suggestions made with a view of bringing the lobster fishery back to its old condition?—A. Nobody would fish at all if they were paid \$1.25, \$1.60 and \$1.75. There would be nobody go fishing.

Q. One proposition is to stop the fishing of lobsters, and issue no licenses to can for three or four years in order to give the lobsters a chance to grow; what would you think of that?—A. I don't know, that might be all right.

Q. That would be one way of improving the conditions; what would become of the fishermen?—A. Their gear would all go to h——l and when they started up again there would be nobody to fish because there would be no gear.

Q. A recommendation made by the last Lobster Commission was that the fishery should be shut down in sections, and the location of those sections should be moved from time to time; how would that appeal to you?—A. I don't know how that would do. That would knock off some places, they would not fish at all. Lobster gear, especially traps, is gear that you cannot put away very well, it takes a lot of room. Some of them have given up already. Their gear is so high too, rope and everything.

Q. What do you consider a trap to be worth?—A. A parlour trap when well made will be worth 50 cents, all of that too.

Q. I mean apart from the trawl and lines?—A. I don't know. There is rope and line and everything.

Q. Another thing that has been suggested is to enforce the law, insist upon the fishermen putting berried and undersized lobsters back in the water and shortening the season by ten days; how would that do?—A. Shortening the season would be all right. That would not hurt us any, we are all through ten days before the time.

Q. Why is that, because the lobsters are not there?—A. The lobsters are not plentiful enough to keep us going. We can go on to some other kind of fishing that will pay us better and save our gear, it is expensive gear, and so on.

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Q. Do you think it is possible to insist upon leaving a wide enough space between the slats to allow the smaller lobsters to escape?—A. Well, by gosh I don't know about that. You cannot tell how a lobster is going——

Q. Some people claim that we could, by regulating the size of the mesh and the space between the slats, protect the small lobsters and let everything under 6 and 7 inches go out of the trap?—A. I don't think that can be done very easily.

Q. Why not?—A. Because there is nobody can tell you what space a lobster will get out of. Maybe they will flatten their shell through an inch, you cannot tell.

Q. Do you think the lobster can flatten its shell?—A. Well, I don't know if anybody has seen that. They might crawl through a closer space than we think.

Q. Do you not think the slats are put much closer together than they were at the beginning?—A. I don't think so. I think they are about the same, I don't see any difference.

Q. We used to put the slats an inch and a half apart. To-day, along the greater part of the coast we have gone over, the mesh and the slats are only half an inch apart?—A. Oh, heavens, I don't see what they do that for.

Q. To hold the small lobsters?—A. Well, I don't see what they do with them. Are they allowed to take all they get?

Q. Do they not do that everywhere?—A. Well, I hate to see small lobsters taken and then if you are caught by the——

Q. We have not found anybody that has ever been caught, the law is not enforced I am afraid.—A. Well, by gosh, the inspectors are around often enough. I would not want him to catch me.

Q. At some places visited by us where they are canning lobsters it takes 12, 14 and even 16 lobsters to the pound can; unless they narrowed the space between slats they would not hold those lobsters, would they?—A. No, sir. That is not right.

Q. Do you think there is any combination on the part of the canners to keep down the price?—A. If they keep it down very low there will soon be none fishing.

Q. Yes, but do you think there is any arrangement among the packers on this coast to keep the price down?—A. They were saying that all right. I myself think it is when they cut down \$1.25 in a year. By gosh, that is quite a knock down.

Q. What reason do they give for doing that?—A. What reason? They want to make more money. They do not find they are making enough. They want to make poor people die and have all for themselves, that is what I think, and they will soon do it.

Q. Do the packers not give as a reason for the reduced price that the market has dropped?—A. That is what they say, that the market has dropped. I allow that too.

Q. I think you told us you believed an increase in the number of hatcheries would be a good thing?—A. Yes, sir.

Q. What do you think about establishing pounds?—A. That would be all right I think.

Q. It has been suggested that the fishermen should be compelled to register and take out a license. The idea is that if the fishermen are licensed they will be more careful about observing the law because if they were found to be violating it they would not be given a license and would not be allowed to fish lobsters; what do you think about that proposition?—A. Well, I don't know about that, that would be so much more he would have to pay.

Q. No, it would not be anything serious and he might not have to pay a fee at all. I suppose you will admit it is right that berried and very small lobsters should not be taken?—A. Yes, because if they keep on doing that the lobsters cannot be increasing, they cannot stand their ground.

Q. Do you think that method of licensing the fishermen would have any effect at all, would it work?—A. It might work, I don't know. It might be all right.

Q. Has any attempt been made to fish lobsters in the fall in your recollection?—A. No, sir.

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Q. What is the shoalest water you have ever known anybody to fish lobsters in here? We find the fishermen in some places fishing lobsters where the traps almost dry out.—A. A couple of fathoms is the closest.

Q. Do you think we should prohibit fishing in too shoal water?—A. Oh, I don't know.

Q. Do you think that in very shoal water in the last part of the season you are apt to get too many small and spawning lobsters?—A. Sometimes at the last of the season when the water gets warm, all kinds of lobsters fall in, big and small.

Q. Whatever is left?—A. Yes, sir, whatever is left comes inshore.

Q. Then do you think there would be any advantage in prohibiting fishing in too shoal water?—A. I don't think it. Some springs a school of lobsters hauls right in, some warm springs.

Q. You do not think that closing down the fishing on the 1st of July instead of the 10th would be a serious interference with the fishery?—A. That would not hurt us any.

Q. Would it be a means of saving the small lobsters?—A. It would.

Q. Do you think the live lobster trade would be more profitable for the fisherman, if it could be carried on?—A. Yes, sir, he would get a better price, but what would you do with the small lobsters?

By Mr. Corbett, M.P.P.:

Q. I suppose those shipped alive must be over 9 inches?—A. Yes, sir, over 9 inches.

By the Commissioner:—

Q. Is there any matter you would like to suggest yourself?—A. I don't think of anything else. You have asked me all that could be asked.

Witness discharged.

JOSEPH CRISPO, fisherman, Harbour Bouche, called and sworn:—

By the Commissioner:—

Q. How long have you been engaged in lobster fishing?—A. I guess about 20 years.

Q. You own your own boat and gear?—A. Yes, sir. These late years we have a little schooner between the two of us.

Q. Where do you fish?—A. Out on the Pomquet Bank.

Q. That is out in the centre of the bay?—A. Yes, sir.

Q. What depth of water is there on the bank?—A. From 8 to 12 and 13 fathoms.

Q. Is there much deeper water around it?—A. 14, 15 and 17 fathoms.

Q. What number of traps do you fish out there?—A. 450.

Q. How many of you fish?—A. Three of us. We take another man with us when we start in the spring.

Q. How often do you come in?—A. Every day when we can.

Q. Have you a tank for your lobsters, or do you keep them in bulk?—A. We generally put them in the vessel. Sometimes we take them in the boat when we have a chance to come in.

Q. How long have you been carrying on that kind of fishing?—A. This last six years.

Q. What run of lobsters do you find out on the bank?—A. Well a pretty good run.

Q. Do you get a better run than you could inshore?—A. Yes, sir, far better. We don't get many lobsters there under 9 inches.

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Q. When do you begin to fish generally?—A. As soon as the season opens, around about the 10th of May.

Q. How late do you fish?—A. We don't fish any later than the last of June. We did not go to the last of June this last two or three years.

Q. What is your reason for knocking off at the close of the season?—A. The fish get slack and we look for other fishing.

Q. What other fishing?—A. Mackerel, cod and herring fishing, anything we can get.

Q. How do you find the conditions on that bank to-day compared with when you first began fishing?—A. Well to tell the truth there has not been very much difference in the last six years with us, I think we got fully more lobsters this year than any year.

Q. And as good a size?—A. Yes, and as good a size.

Q. Is there anybody else fishing out there?—A. There are other boats fishing out there. Not from here, from Bayfield up the Bay. Some come up from Canso.

Q. Do you sell your lobsters to the cannery here?—A. Well the same company runs here and at Bayfield. Sometimes when we have a chance to get up to Bayfield why we go there, but on the average we come here most of the time.

Q. There is no station of the Fishermen's Union here?—A. No, sir.

Q. After all the years you have been fishing, what do you think of the present condition of the lobster fishery compared with its state at the time of your first recollection; have the lobsters run down in size?—A. Well I don't find that they have run down.

Q. I do not mean on that bank, but speaking generally?—A. I don't find that they have run down very much in size. The first year that I started fishing of course they were plentiful. They ran a little larger, a little shade larger.

Q. Then there has been a decrease?—A. Yes, there has been some since that time.

Q. Do you think that decrease is still going on?—A. Oh, well, I don't know. This last six years I don't know that there has been any difference at all. That is with us out there.

Q. What is your practice, do you expect the canner to take everything you bring him in the shape of lobsters?—A. No, sir, we don't expect him to, or we don't bring in everything very small, we never do. In fact this year, and since we have been fishing there the last few years, we don't get very many out there and we generally fire them away, let them go as fast as we catch them. That is the berried lobsters.

Q. And what about the undersized lobsters?—A. We don't have many there.

Q. What percentage would you have?—A. I don't think we would get four or five pounds to the hundred.

Q. Your run of lobsters then you say is good?—A. Yes, is good.

Q. Are you fishing more traps now than you used to when you began to fish?—A. Oh, yes, sir, I commenced fishing with only 40 traps.

Q. And can you keep up the same catch to-day with 40 traps?—A. I could do better with 40 traps when I started years ago than I can now with 100.

Q. In what proportion has the number of traps increased within your recollection, are there three times as many?—A. There are three times as many, I guess.

Q. Will you say it requires more gear now to keep up the supply?—A. It requires more gear to keep up the supply, I think.

Q. What style of trap do you fish?—A. We fish the common traps mostly.

Q. The old double ender?—A. The old double ender. We have a few of the parlour traps this last few years but not a great many.

Q. Do you find you get more fish in the parlour trap?—A. Well, it is this way: If you can attend your traps every day I find the common trap is just as good as the parlour trap. That is with us.

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Q. The general experience is that the parlour trap holds the fish?—A. They hold the fish better if you are two or three days without hauling them.

Q. You heard the evidence of the previous witness, do you agree with what he stated pretty well?—A. Yes.

Q. The policy of the department has been to restrict the number of canneries, what is your idea about it?—A. Well, I think the more canneries the better, certainly. We would have more competition and the fishermen would have a great deal better chance.

Q. Do you not think that if you had a good many more canneries the fishery would be exhausted faster?—A. No, sir, I don't think it would be.

Q. Would there not be more fishermen?—A. No, sir, I don't think there would be more fishermen. There is the same number as when I started some years ago or very few more.

Q. Complaints have been made by fishermen that they have not been getting enough for their lobsters, and to try and put things right in that direction the department have adopted the policy of granting a license to can to a number of fishermen who combine together on the co-operative plan?—A. I think that will be a good thing.

Q. You have none of that here?—A. No, sir.

Q. Do you think that is a fair way of putting the fishermen in an independent position?—A. I think so. It will be a good thing.

Q. Do you think the fishermen, one with another, would make more money if they were allowed to can for themselves?—A. They would make double the money, sir.

Q. Do you think they all have the ability, capital and the means necessary to conduct canning?—A. Well, I think if the men get to work they will do it.

Q. How is the price arranged now; is there any competition or are you obliged to take what is offered you?—A. We have to take what is offered to us, that is just how it is. We cannot say anything about it; they are the monied men and we have to abide by whatever they do. Last year on account of a few fishermen coming in and having a union among themselves at Cape Breton, across the bay here, the canners got their heads together. This year I was told by a certain man—that is Smith in Port Hood, who was informed by a canner—the canners put their heads together and decided to pay only so much to the fishermen, and they did so. They fixed the price at \$2.25. Now, they could afford to pay a good deal more this year for lobsters. Of course the market went down, we know that, but the cut in price to the fishermen was a great deal. We got \$3.50 last year and only \$2.25 this year. That was a big cut down.

Q. Have you any idea of the prospects for next year?—A. Well, according to my idea it will be the same thing, they will offer the same thing. That is just what I think about it.

Q. When do you think the lobsters spawn?—A. The spawning season of the lobster I think is along about from the middle to the last of June.

Q. You see more spawn lobsters at that time, do you think?—A. Well, I think that is about the spawning time. Yes, sir, there are more about that time.

Q. Do you think they go into shoal water to spawn?—A. Oh, yes, sir, they do.

Q. Do you notice any difference in fishing in deep water from fishing in shoal?—A. Where we fished this last six years I don't think we get five pounds to the hundred of spawn lobsters.

Q. What is the smallest size at which you have ever know a lobster to have spawn on her?—A. I never saw anything under 10 inches, at from 10 inches up.

Q. They are generally a good fair lobster?—A. Yes, sir, a lobster of good size. It is very seldom you find a 9 inch lobster with spawn.

Q. Do you think that the regulations as to size, spawn lobsters and the close of the season have ever been strictly enforced?—A. At this place here there has not been much difference, I don't think. Of course we were not allowed to catch the 9 inch lobster years ago.

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Q. Then the size limit was reduced to 8 inches?—A. And as to the spawn lobsters I do not know that the law was always enforced, but of late years they are pretty strict as to not taking them.

Q. At the cannery?—A. Yes.

Q. At the same time have you ever known of anybody having been fined or punished for violating the law?—A. They have been fined here.

Q. The canner?—A. Yes, the canner.

Q. How long ago?—A. Not very long ago. This last four or five years they were fined I guess.

Q. What was that for?—A. For taking lobsters.

Q. Undersized or berried lobsters?—A. It was undersized I think.

Q. Do you think there is any packing done after the close of the season, I don't mean in canneries but on the shore?—A. None that I know of.

Q. There is no fishing done after the season closes?—A. No, sir, not after the season. I don't think there is a trap goes in the water after the 10th July, they generally take them ashore before that time.

Q. Do you think it would be possible by any means to induce the fishermen to return the berried lobsters to the water?—A. Well it would be a good thing if they could be induced to do so, but the majority of them—one man may heave them over and another one take them, that is just about the way it is done. Last year every seed lobster that came into my hands I fired away and let go. We all did it. Of course we don't get a great many. Even if the fishermen brought them ashore it does not amount to a great deal, what seed lobsters they get, and if they let them go it would be far better.

Q. They would have an enormous number of eggs?—A. Yes, sir, you would hardly ever run them out.

Q. If the proportion of berried lobsters is small in general, as compared with the total catch, it is funny the fishermen do not understand it would be better to put them back in the water?—A. It would be far better if they did that.

Q. Have you had any experience in the matter of hatcheries?—A. I have had no experience, there have been none handy to us. The nearest has been at Canso.

Q. How long has the hatchery been running at Canso?—A. For the last six or seven years.

Q. Do they sometimes come up here for eggs?—A. They did this year.

Q. What led to that, did they not get enough down below?—A. I don't know I am sure.

Q. This place is a long way up?—A. Yes, it is quite a way up.

Q. What distance are you from the Canso hatchery, here?—A. About sixty miles, between fifty and sixty miles.

Q. What is your idea about shortening the season by ten days?—A. I don't think that it would matter very much, that is around the shores here. As far as I know most of them shut down before the last of June. I think there is very few of them that run past that time and I think a good many of the packers that run to that time would be far better pleased to haul up before then. Some of them have to run on account of the fishermen.

Q. Do you know anything about the live lobster trade, have you ever thought of going into it?—A. I have thought of going into it but some way or other I have never tried it.

Q. Fishing where you do and catching a large run of fish and with a vessel at your command it ought to be possible?—A. Oh, yes, sir, we could put them up there according as we got them, take them right out of the water and put them up so that they would not suffer any.

Q. Do you think there is more money in that branch of the lobster industry?—A. Certainly, sir, I think there is more money.

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Q. If canning were stopped do you think the fishermen would go into the live lobster business?—A. I don't know I am sure, they might do it. Before they allowed the 9 inch lobsters to go to the United States, the market was far better but it has run down a good deal.

Q. The market has been glutted, but you see there is the Canadian as well as the American market available?—A. Yes, certainly there is the Canadian market to ship to, but I see the price was reduced on a big lot of lobsters that were shipped to the United States last year and this year also.

Q. Are there any places about this coast where pounds could be established?—A. I think so.

Q. You want a certain depth of water, not less than two fathoms, because heat or hot water will kill the lobster faster than anything?—A. Yes, sir, it will. No there would not be any place in this harbour.

Q. You understand of course the lobsters must not have very much fresh water.—A. There would be a suitable place if there were any parts of the harbour with hard bottom, but there is too much mud in this harbour.

Q. Are there any other parts of the coast that would be suitable?—A. Probably up at Blue Rock would be a good place. There is good water there and a hard bottom. There would also be shelter enough there during the lobster fishing season.

Q. The idea would be to buy the female lobster from the fishermen and place her in a pound, where she would remain and be fed during the season, and hatch out her eggs herself; where it can be done it seems to be the only way of saving the female lobster?—A. That is the only way she could be protected. To stop the fishermen from taking these lobsters is a pretty hard thing, because they will wash the spawn off pretty clean so that you will not see it on them, that is some of them will. I have seen that myself. This year we fired them out. Once in a while you would see them when they washed the berries off. You can tell that when you see the lobster because there are always a few seeds left on them. If you are very sharp you can tell them.

Q. The only way to save the berried lobster is to take her when she comes out of the trap?—A. Oh, yes, sir.

Q. It is pretty late in the day when she goes to the cannery and is dumped into a barrow with a whole lot of others?—A. This year the canner would not take them. At the last of the season they were sending them on to Canso. If he saw one spawn lobster at the cannery he would have it taken out.

Q. Did they come up from Canso for the spawn?—A. They used to take them and put them on the car and ship them off. The canner told me at different times not to bring in spawn lobsters, but supposing he would tell me and tell the fishermen they would always bring some in. Of course there would be an odd one slip in unknown to us.

Q. How would it affect the canner if the 8-inch size limit were strictly enforced, would it put him out of business?—A. I don't know that it would. I don't think there are very many 8-inch lobsters brought in here. There might be a few odd ones but not very many. An 8-inch lobster is pretty small. It does not take a very big space for an 8-inch lobster to crawl through a trap. I have often hauled a trap up and you will see them half way out and they will slip out through the bottom. Some of the lobster traps are lathed very close at the bottom and there is a place on top where the lobster will crawl out.

Q. When do you have your best fishing?—A. The best fishing is geenrally from the start.

Q. Is there any statement you would like to make yourself?—A. No, sir, I do not think it. Only what we were speaking about, that is about more packers. I believe it would be a good thing if there were more. The more competition we have the more money there is for the fishermen, that is the way I look at it. Of course here we have always been kept down, we have never had any opposition. When we did have it, three or four years ago, they used to send smacks up from the southward

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to take the lobsters. That is the only thing that raised the price. We got \$3.50 and the year before \$3.25. Before that they kept us down and I guess they intend to keep us down. I know that this year, and next year if they come here they will not offer us a cent more than \$2.25.

Q. You think it will be well to issue licenses to fishermen to can on the co-operative plan?—A. I think it would be a good thing. If the fishermen club together they could manage to do it, and put up their own lobsters. We got 15,000 lobsters this year, and if we had put up our own lobsters we would have trebled the money that we got. We would have cleared money anyway and doubled what we did get.

Q. You took 15,000 pounds?—A. Yes, sir.

Q. That is good fishing; is that as good a year as you ever did?—A. That is as good a year as we ever did.

Q. What do you think of the idea of licensing fishermen to fish for lobsters?—A. I think it would be a good thing as long as the license would not be too severe.

Q. The idea would be that if the fishermen violated the law their license would be cancelled and they would not be allowed to fish lobsters any more?—A. It would be a very good thing for the seed lobsters anyhow, but it would not make very much difference to the small ones.

Witness discharged.

Commission adjourned.

GRAND ETANG, August 16, 1909.

VINCENT P. DOUCETTE, manager, Grand Etang, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing business?—A. About 7 years as well as I can remember.

Q. You have charge of the cannery here belonging to Mr. Forham?—A. Yes, sir.

Q. Have you charge of more than one cannery?—A. No, I have just the charge of this one.

Q. What number of cases do you generally pack in that cannery?—A. From 300 to 400.

Q. What did you pack this year?—A. 252 cases, last year 350 cases.

Q. How many boats do you employ?—A. From 18 to 20.

Q. Do the fishermen own their own boats and gear?—A. Yes, sir.

Q. In every case?—A. Yes, sir.

Q. How far off shore do they fish generally?—A. A mile, or a mile and a half.

Q. Have you noticed any difference in the run of lobsters since you began your connection with the cannery here?—A. Well as far as I know the best run of lobsters was last year, that is since I have been here.

Q. What has been the practice here with regard to the regulations; you begin to fish 20th April and close 10th July?—A. Yes.

Q. You are not supposed to take any berried lobsters or any lobsters under 8 inches; has that regulation ever been enforced?—A. Well it has been enforced here with regard to spawn lobsters.

Q. You never take the spawn lobsters?—A. No, we never did.

Q. What about the undersized lobsters?—A. We are packing everything.

Q. But you have been strict—A. Very strict about the spawn lobsters.

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Q. Is there any particular time in the season when berried lobsters are more numerous than at others; of course if berried lobsters are not brought into the cannery you do not see them?—A. We do not see them. They are more numerous about the beginning of the season.

Q. As a rule about what time do you begin to pack?—A. It depends upon the ice. We generally start about the 1st of May.

Q. The ice is generally clear by that time?—A. Yes.

Q. Out of every hundred lobsters how many would be below the 8-inch limit do you think?—A. That is more than I can tell.

Q. Would there be one-half or one-third?—A. About one-half, I believe.

Q. Do you think the fishermen, owing to your refusal to take berried lobsters, put them back in the water?—A. They are put back in the water because if they were washing them off, you could notice it when they brought them ashore. Then they would be dead.

Q. What style of trap do you use here?—A. That is what I do not know.

Q. Where does the proprietor of this cannery live?—A. Portland, Maine.

Q. What do you think is the cause of the decrease in the run of lobsters, to what do you attribute it?—A. Well I think at first before I got in the business myself, it was taking in the spawn lobsters, but since they have not been taking in those lobsters I do not think they have been destroying——

Q. Do you think that things are not getting any worse than they were?—A. No, last year was the best year we have had since I have been there.

Q. Was that because you got a larger number of lobsters?—A. A larger number of lobsters and they were of better size.

Q. To what do you attribute the failure of the fishery this season?—A. I think it was the season. It was very rough and windy.

Q. Did the fishermen miss a good many days fishing?—A. Yes, a good many.

Q. Do you think there are canneries enough?—A. I think so.

Q. Is there a station of the Fishermen's Union here?—A. No.

Q. Are there any groups of fishermen in this neighbourhood canning on the co-operative plan?—A. Yes, but not here, a little way from us.

Q. Do you think the policy of granting co-operative licenses is a wise one and in the interest of the fisherman?—A. I don't know indeed.

Q. Have you any idea how many lobsters it takes to fill a pound can in your factory?—A. I could not tell you that.

Q. Do you know how many it takes to fill a case?—A. No, I do not.

Q. What is the best time in your factory, when do you get the most lobsters?—A. In May.

Q. Do the fishermen fish right up to the end of the season?—A. Yes, they generally do.

Q. You do not close down before the end of the season?—A. No.

Q. Are most of the men who are catching lobsters regular fishermen, or are they farmers who merely fish for lobsters?—A. No, they are regular fishermen.

Q. If the 8-inch size limit were strictly enforced, how would it affect you?—A. We could not can at all.

Q. What price do you pay for lobsters here?—A. We paid the fishermen \$2.50 this year, and last year \$3.25 per hundred pounds.

Q. The fishermen did not complain about that, it is a better price than they got in some other places?—A. I guess not. They are not complaining here, I don't hear any complaints.

Q. How often does the fishery officer here visit you?—A. Once or twice a week.

Q. Where does he live?—A. In Margaree Forks.

Q. There is no lobster hatchery in this neighbourhood?—A. No, sir.

Q. Do you think there would be any opportunity for establishing one here?—I think it would be a good thing.

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Q. How many canneries are there within a radius of 20 miles?—A. Eight factories, I suppose.

Q. Are they mostly small factories?—A. Pretty large factories. Some of them are small.

Q. What will their pack average in cases?—A. They would average 300 cases I think.

Q. Various remedies for the improvement of the lobster fishery have been suggested. One is to close down altogether for a term of years and allow the lobsters to increase; what do you think of that?—A. I don't know.

Q. Is there any other fishery the lobster fishermen could turn their attention to?—A. I think it would be pretty hard for the fishermen.

Q. What is the average earnings of a good fisherman in a season, \$2.50 a day?—A. Some of them make more than that.

Q. The Lobster Commission of 1898 recommended that the fishery should close down by sections. What could you think of that as a remedy?—A. If you closed down and they should smack the lobsters from one place to the other, that would be the same thing.

Q. You think that would be done?—A. I would think so.

Q. It has been furthermore suggested that we should strictly protect the berried lobster—either taking the eggs, to a hatchery or placing the lobster herself in a pound—and so arrange the slats of the traps as to allow the smaller lobsters to escape, and shorten the season by ten days; how would you regard that as a remedy?—A. Well I think if there was a hatchery somewhere around.

Q. It would not seriously interfere with you here if the last ten days in July were taken off?—A. Oh no.

Q. The fishermen have other fishing to take up?—A. Oh yes.

Q. There is no chance here for shipping live lobsters to market?—A. No.

Q. I suppose it would be too rough to fish for lobsters here in the fall?—A. Yes.

Q. In your opinion would the fishermen make more money if they were allowed to can for themselves?—A. Not much.

Q. How does the price paid the fishermen compare with the price when you first took charge of the factory; what did you pay when you began?—A. I think it was \$2. Last year we paid \$3.25 and this year \$2.50 but I remember when they used to pay \$1.10 I think.

Q. Is there any opportunity here to establish a pound?—A. There is a pound here and the lobsters get in it.

Q. Do the lobsters go into it?—A. Yes, the fishermen used to set traps in there.

Q. Do they still set traps there?—A. No, sir, not this summer. There are lobsters there because I know one fisherman present here has got them there.

Q. What depth of water is there at that place?—A. 15 and 20 to 30 fathoms at the deepest place. It is only the entrance that is shallow.

Witness discharged.

FREDERICK M. CORMIER, fisherman, Grand Etang, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing lobsters?—A. About 15 years.

Q. Did you begin to fish when this cannery was first established?—A. Yes.

Q. And you have always fished from this place?—A. Yes, sir.

Q. You own your own boats and gear?—A. Yes, sir.

Q. What number of traps do you fish?—A. 150 probably.

Q. Does any one else fish with you in your boat?—A. Only one little boy.

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Q. Have you always fished about the same number of traps, or do you fish more now than you did when you began?—A. I am fishing more this year.

Q. In what depth of water do you fish?—A. 15 fathoms.

Q. What is the bottom like where you fish?—A. It is rock and sand.

Q. Do you prefer fishing on a hard bottom rather than on mud?—A. It is better on a hard bottom.

Q. How far off shore does 15 fathoms take you?—A. About a quarter of a mile.

Q. Do you fish the whole season in the same depth of water?—A. Yes, sir.

Q. You do not move closer inshore?—A. Sometimes.

Q. About what time do you get your traps out, one year with another?—A. As soon as the ice goes, about the 1st of May.

Q. And how long do you fish?—A. Up to the 10th July. I fish the whole season.

Q. At what time of the season do you get the best fishing?—A. In May.

Q. When do you see the most lobsters with eggs on?—A. About the 15th of May.

Q. You find them all through the season do you not?—A. Some.

Q. Are the female lobsters with the eggs on small or large lobsters?—A. They are about 8 inches in size.

Q. And larger?—A. Yes, sir.

Q. They are generally pretty good sized lobsters are they not?—A. Yes.

Q. What has been the practice of the fishermen here with regard to berried lobsters; what do you do with them?—A. I throw them overboard.

Q. Have you always done that?—A. Yes.

Q. As to the size of the lobster, how many lobsters you bring to the cannery are below 8 inches?—A. About one half.

Q. Are the lobsters as good now as when you first began to fish?—A. About the same I suppose.

Q. Do you think they are as large today as when you began to fish a few years ago?—A. I think they are about the same. Last year there was good fishing.

Q. Was it as good as you ever made?—A. Yes, about the same.

Q. Do all the fishermen here own their own boats and traps?—A. Yes, sir.

Q. How does the price paid for lobsters today compare with what you got when you first began to fish; what did you get when you first fished?—A. \$1 a hundred weight. Last year \$3.25 and this year \$2.50.

Q. How is the price fixed, is it a matter of arrangement between you and the packer; did you have an understanding when you began to fish that you were to get so much for your lobsters?—A. It is understood what we are going to get.

Q. Have the fishermen here ever adopted the practice of brushing off the eggs from the female lobsters?—A. No.

Q. Does the canner object to taking berried lobsters?—A. Yes.

Q. Has he always done so?—A. Yes.

Q. Do you use the old fashioned trap with two ends?—A. Yes, with two ends.

Q. Are there many using the parlour trap?—A. Only a few.

Q. Tell us the difference between the two traps?—A. Working them everyday they are just about the same, but the lobsters stay in the parlour trap.

Q. What distance do you leave between the slats in the trap?—A. Three quarters of an inch.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. No, I don't think so.

Q. Is there any fishing done here after the close of the season?—A. No.

Witness discharged.

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GABRIEL CHIASSE, fisherman, Grand Etang, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing lobsters?—A. 15 or 16 years. Since Mr. Forham opened his factory here.

Q. Was that the first factory that was opened here?—A. Yes, in Grand Etang.

Q. You have always fished in this place?—A. Yes.

Q. You own your own boat and gear?—A. Yes.

Q. You do not fish alone, there are two in the boat?—A. No, only one.

Q. How many traps do you fish?—A. About 130 I would say.

Q. What depth of water do you fish in?—A. There are different depths.

Q. I mean when you begin in the spring?—A. Well there are at various times 10, 12, 15 and 18 fathoms.

Q. As deep as 18 fathoms?—A. Yes.

Q. How far off shore?—A. Close to the shore there is deep water here.

Q. When do you begin to fish generally?—A. As early as we can, we start on the 20th April and sometimes in May.

Q. Your opening time depends on the ice I suppose?—A. It depends on the ice, but we could not go any sooner than the 20th of April.

Q. Have you ever fished earlier than the 20th April?—A. No.

Q. Do you find the lobsters there when you first set out your trap?—A. Yes.

Q. What is the best time of the fishing with you?—A. It is May.

Q. Do you find that you get a better run of lobsters in May than you do in July?

A. It is according to how the spring has set. When the big ice has gone out, May is the month. When it is late, June is the month. It depends on the ice.

Q. Do you get a larger run of fish in the beginning of the fishery than you do towards the end?—A. Yes a bigger run of fish when we begin than when we knock off.

Q. And you get better fish in deep water than in shallow? A good many fishermen move into shallow water as the season advances?—A. That is what we are doing here.

Q. Do you notice any difference in the run of fish?—A. I suppose the fish are a little better when the traps are first set out.

Q. At what time of the season do you see most of the lobsters with eggs on them?—A. I suppose in the last part of June.

Q. What proportion of the lobsters you catch will be below the legal size limit of 8 inches?—A. Oh, well there would be about a half.

Q. How small do you bring the lobsters in?—A. We are bringing in all that we catch.

Q. Down to how small do you catch them?—A. Of course when they are getting small it is hard to get the measure of them.

Q. Would they be four or three inches?—A. They are hardly ever that size.

Q. Have you any idea how many lobsters it takes to fill a pound can?—A. No, because I don't work in the cannery.

Q. How is the fishing now compared with what it was when you began your connection with the industry?—A. This summer it is low, but before then the factory was packing about an equal number of cases.

Q. Did you find the lobsters as good the summer before this last one as they were when you began to fish?—A. About the same.

Q. Do you think there was as good a run of fish?—A. They might not be as big but the quantity was more.

Q. Are you fishing more traps now than when you began to fish?—A. Just about the same. Some might have more traps and some less.

Q. Have you any difficulty in getting your ground in the spring; do the fishermen all understand pretty well where their grounds are, and consequently no trouble

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arises?—A. There is no trouble here. The first that goes out gets the chance as far as I know myself.

Q. On what sort of bottom do you like to fish best?—A. On rocky bottom or the ledges.

Q. Along the edge of a reef?—A. Yes.

Q. Do you expect the man at the cannery to take everything you bring him?—A. Yes.

Q. What has been your practice with regard to berried lobsters?—A. To throw them overboard.

Q. How long have you been doing that?—A. Ever since I have been fishing.

Q. Do the fishermen about there do that generally do you think?—A. That is what I think. That is what they ought to do. Where I am fishing myself there are four or five boats and I don't see any spawn lobsters taken ashore at all. They tell me they put them overboard.

Q. And you think that practice has been followed?—A. That is my opinion.

Q. You do not think the fishermen brush the eggs off the berried lobsters and take them in that way?—A. My opinion is there is not much of that work done.

Q. How does the price paid for lobsters compare with what you got when you first started to fish?—A. When we first began to fish we were promised \$1 and we were paid \$1.10. It kept going up all the time. Last summer it was up to \$3.50. This year it is down to \$2.50.

Q. What was the cause of the reduction?—A. The market I suppose was bad.

Q. Are the fishermen generally satisfied with the price paid?—A. In the spring they were anxious to get what they were receiving last summer, but when they saw they could not get it they were very glad to accept that price.

Q. Do the fishermen generally understand the necessity for putting the berried lobster back in the water?—A. They understand it. If they do not do it it is not because they do not understand the necessity. They understand what destroying the berried lobster means.

Q. It means ruin to the fishery?—A. Yes.

Q. Are the berried lobsters generally good fish?—A. Generally good fish.

Q. What is the smallest berried lobster you ever saw?—A. I never saw any fish with spawn on them that were not middling good sized lobsters.

Q. What was the smallest you ever saw with eggs on her?—A. They are not less than 8 or 9 inches.

Q. Do you think you would do better at canning than fishing?—A. That is pretty hard to say. For my part I would sooner have others can than can myself, as long as I get a fair price for my lobsters, as long as we have got a man that we can depend on. If everybody was canning there would be no market in no time, that is my opinion.

Q. As to the various remedies for the improvement of the fishery that have been suggested, such as closing down or a term of years and so on, would they mean a serious loss to the fishermen?—A. I would think so. Lobster fishing is good money for the fishermen down here in the spring.

Q. There is no other fishery that will pay them for their time in the spring?—A. No.

Q. Another suggestion was that the fishery should be closed down by sections?—A. I don't see how it could be done.

Q. Another suggestion, and one that seems reasonable, is that we should regulate the space between the slats of the trap so as to allow the small lobsters to escape, protect the berried lobster in every possible way, and shorten the season by knocking off at the 1st of July instead of the 10th; what would you think of that proposition?—A. I guess the fishermen here would agree to shorten it at the beginning and put the opening time on the 1st of May instead of the 20th of April. For you know there are lots of years we are bothered with ice in May.

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Q. Is there any other market the fishermen would find for their lobsters here if the canneries were closed?—A. I do not think it.

Q. In some places they can ship their lobsters to the market alive?—A. The packer we have here does that sometimes too. I heard he was making a place up on the Atlantic coast of Nova Scotia.

Q. You have no chance to carry on the live lobster trade here?—A. No.

Q. Would you be in favour of establishing a hatchery in this neighbourhood?—A. If they were to build a hatchery to protect the spawn or breeding lobsters I guess it would be a good thing.

Q. Another way of protecting the berried lobster is to place her in a pound; do you think there is any place here where a pound could be established?—A. I should think it would be a good thing. I don't see any place where there could be that kind of pound around here, unless above the bridge here, lobsters are getting in there now.

Q. To what do you attribute the decline in the catch of lobsters, do you think they have been overfished?—A. May be so.

Q. Can you give me any other reason for it?—A. That is the only reason I can give.

Q. Do you lose much gear owing to the bad weather?—A. Sometimes. This spring was a pretty hard spring but not in this factory. Here it was all right, but the factory down below from us had a big loss.

Q. Do you fish the same kind of traps as when you began?—A. Yes, I do.

Q. Do you allow the same space between the slats as when you began fishing, or are you putting them closer?—A. I might put them a little closer.

Q. What do you think about the parlour trap, in your opinion is it catching too many small lobsters?—A. I don't think they are any worse to catch small lobsters than the other traps.

Q. Except that they hold the small lobsters better?—A. Hold them better.

Q. Fall fishing would be of no use to you here?—A. I hardly think it, it is too rough.

Q. Is there any suggestion you would like to make?—A. You have got me to say all that I know all right.

Mr. DOUCETTE.—As far as I can understand all the fishermen want to open the season a little later. It is too early to start on the 20th April. They have got to start then when the ice is out and the weather is so cold, and the water and everything.

The COMMISSIONER.—They need not start out then unless they like to.

Mr. DOUCETTE.—Yes, but if they do not, two or three take all the pretty good places on the fishing ground.

Witness discharged.

Messrs. Eusebe Leblanc, Joseph Ancoin, Joseph Cormier, Joseph Chiasson, fishermen, stated that having heard the evidence of the previous witnesses as given above they concurred in it.

The Commission adjourned.

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ARICHAT, August 17, 1909.

GAPTISTE CIRETTO, packer, called and sworn:—

Q. How long have you been engaged in the lobster business?—A. 18 years.

Q. Always at this place?—A. Always in the same spot.

Q. How many canneries do you control?—A. Only one.

Q. Where is it situated?—A. Cape Auget.

Q. How many boats do you employ?—A. 40.

Q. Do the fishermen fish their own boats?—A. Yes. We have more or less every year, we cannot tell exactly.

Q. The boats and the traps are owned by the fishermen themselves?—A. Yes, everything.

Q. Is there a station of the Fishermen's Union here?—A. No, sir.

Q. Have you always fished about the same number of boats?—A. Pretty near always. Formerly there used to be more factories here, they were divided up, but in the last ten or fifteen years I have been canning alone.

Q. What other canneries are there in your neighbourhood?—A. There are none.

Q. How far off are they on each side of you?—A. There is only one at Petit Degras and one at West Arichat.

Q. What is the capacity of your cannery, how many cases of lobsters do you pack?—A. It is not very big. This year we only packed 76 cases.

Q. That is full cases?—A. Yes.

Q. Your principal industry is what?—A. Live lobsters.

Q. Where do your boats fish, how far off shore?—A. They go far off early in the spring and come in closer. They commence at 14 fathoms.

Q. What is the condition of the lobster fishery today compared with what it was when you began to fish?—A. Well it is only about one-tenth, well about that, of what it was when I began to fish, because I remember putting up 1,400 boxes and there were four or five packers. Now we put up from 70 to 80 only.

Q. To what do you attribute that decrease?—A. I believe myself the seed lobsters were consumed.

Q. Due to the destruction of the female lobster?—A. Yes. I canned lobsters with no eggs as well as the others.

Q. Were the lobsters a larger and better run in those days than they are now?—A. No, they are better now.

Q. The lobsters are a better run?—A. Yes, the fish are getting better.

Q. What district are you in?—A. District No. 6.

Q. And your season begins and ends when?—A. It begins on the 1st of April and ends on the 30th June.

Q. And your size limit is 8 inches?—A. 8 inches.

Q. Have the regulations as regards the protection of the seed lobster and the size limit ever been enforced here?—A. Not much. Of course I must tell you the truth.

Q. How long has the hatchery been in operation?—A. 6 years.

Q. Since that time have you been saving the berried lobsters?—A. We saved it for a year or two, and then the steamer got orders from the department not to come here. This year they could not get enough spawn elsewhere, and the steamer had orders to come here again. This year I think they could not get eggs because they had to go everywhere.

Q. What proportion of the catch are seed lobsters?—A. One-half.

Q. That is one-half are female lobsters?—A. Yes, sir.

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Q. What proportion of the female lobsters have the eggs outside?—A. There is only one this year to about every 200.

Q. Only one in 200 have the eggs extruded?—A. Not that many. I only had 23 in 4,000.

Q. Have you ever remarked what was the smallest lobster you ever saw carrying eggs outside?—A. Yes, about 8 inches I think. At one time we saw one. Everyone took particular notice how small she was.

Q. As a general rule how are the seed lobsters in size?—A. They are pretty good, especially here, I am only talking for myself of course. If you go even six or seven miles from here it is different, the lobsters are not the same.

Q. What is the cause of the difference?—A. Deeper water. In shallow water they have no chance.

Q. Do you think they are caught up more quickly in shallow water?—A. Oh yes, caught every year.

Q. Do you think you get more seed lobsters in shallow water than in deep water?—A. Yes, a good deal.

Q. At what season did you see the most seed lobsters?—A. Here it is about the last of May.

Q. Have you come to any conclusion as to how often the lobster spawns; some people say she spawns once every year, some twice a year and others again that she only spawns every two years; what do you think about it?—A. The lobster in the water is something like a hen on land. Those lobsters that they have in the spring, next spring will be four inches long. They say it takes four or five years to grow that size, not at all. For 18 years I have told my fishermen if they catch a lobster two inches long to bring it in. Not one is ever brought in, the smallest was five inches. You would think that during 18 years they would try to get one, that you would get one somewhere.

Q. Where does the small lobster stay?—A. Those lobsters are four inches now, they grow that size in the first year.

Q. Do you think that the female lobster goes into shallow water to hatch out her eggs?—A. Sure. I can prove that because I got four in one trap in two fathoms of water.

Q. Have the fishermen here ever practised the habit of rubbing the eggs off the berried lobsters?—A. Sometimes. Then we can only tell them when they are coming from the boiler. If you have cooked such a lobster they are no good for anything, you have to throw them away.

Q. When you did not save the eggs for the hatchery what was the practice with regard to the berried lobster?—A. We never used to take them.

Q. You always refused to accept them?—A. Always, but sometimes we would find a few amongst the catch.

Q. From your experience, and you seem to have devoted some time to this, what do you think is the best way of protecting the berried lobster?—A. I believe by means of pounds. Build a pound here, there are plenty of places for that, and put the lobsters there to hatch themselves. All you would have to do would be to build a place outside, and put whatever quantity of lobsters you want, 300 or 400 or a thousand or two in there.

Q. Do you think it would be better to have one large pound or a number of small ones?—A. No, one large pound would not do.

Q. You would prefer to have a pound attached, as far as possible, to every group of factories?—A. Let every factory have one.

Q. What do you think of hatcheries?—A. For 18 years they brought young lobsters here but we did not see them. They brought ten millions the other day.

Q. They have not been doing that for 18 years?—A. Well for six years, and the hatchery from Pictou came two or three times.

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Q. Then you have not experienced any noticeable increase in the supply of lobsters from the operation of the hatchery?—A. Not that I have noticed.

Q. In Prince Edward Island there has been an increase which they think is due to the hatchery and the same around Pictou?—A. In Pictou and other places there are a lot of spawning places where the lobster goes to spawn, it is not the hatchery. There are three or four spawning places where the government should not allow them to fish or take the eggs from. Here there are none of those places.

Q. Do you think the eggs are properly taken off the female lobster when they are removed for transportation to the hatchery?—A. I took them all off myself this year.

Q. If they are roughly handled are they destroyed do you think?—A. When you destroy the eggs you kill the lobster.

Q. You told me you had been carrying on the live lobster industry for a number of years?—A. Yes.

Q. To what markets do you ship?—A. I ship to New York, Newport and Boston, different parts.

Q. Which way do you ship them?—A. I used to ship them by steamer from here and then by railway to Halifax.

Q. By steamer from here to where?—A. To Mulgrave.

Q. And then by railway to Halifax?—A. Yes, and sometimes take the steamer.

Q. You sent those lobsters by express?—A. By express.

Q. How did you put them up?—A. In boxes in ice.

Q. Did you put seaweed in, or anything of that kind?—A. Oh, no.

Q. You just put the boxes into ice; what has been the result, how have they turned out?—A. They turned out all right when the weather was not hot.

Q. You think the lobsters will live comfortably that way if the weather is not too hot?—A. The last shipment of lobsters I had about half a crate alive. I put ice on them and took them home. You see it was Friday and I kept them at home to see what would happen. Next Monday when the steamer arrived from Boston I went and looked, and out of 40 there was 8 dead. I put them in the water and kept them 11 days longer.

Q. Did you put them in the water here?—A. Here at home. Eleven days after they were half dead, they were beginning to die.

Q. What time of the year was that —A. That was in June.

Q. When the weather was getting warm?—A. Yes.

Q. None of the lobsters you shipped in that way would be below 9 inches?—A. No.

Q. Were there some large lobsters among them?—A. Yes, some very big. Some 14 inches and some 10 inches.

Q. Are there any others prosecuting the same business here?—A. No.

Q. It has been said that in some places no canner could continue packing if the size limit of 8 inches were strictly enforced; how would that be here?—A. It would not make a bit of difference here. I will tell you how they run: In the spring there will be about 10 or 15 per cent, and then coming on later there will be very few.

Q. Were you the first to begin the canning in this district?—A. No.

Q. The canning had been established here for years before you began?—A. Yes.

Q. Now as to the matter of different size limits and different seasons: What do you think about the season as it is here, and as it is in the neighbouring coast to the west of here; what is the reason for having a different season?—A. I suppose it is better as long as you deem it necessary to begin fishing in January to keep the thing going. The quantity would not make any difference because the quantity goes down.

Q. Would it not make any difference here if you were given from the 1st of January to fish?—A. We had that, and we did not want it. We tried to fish in the winter, and it was no good, not with us. Mr. Whitman built a steamer and got boats, and he could not do it.

Q. On account of the ice?—A. On account of the ice and rough weather.

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Q. As to the closing of the season, what reason is there for having that date?—

A. They fish to the last of June, the same as us, in some parts, and they begin in January.

Q. What is your idea about that?—A. Well, let them begin in January but finish the last of April or the 15th of May. Give them to the 15th of May.

Q. You think their season is so much earlier and, having the cream of the market, they should knock off earlier?—A. They fish 98 days and we only fish 52.

Q. Do you mean to say those are the actual number of fishing days?—A. That is the total length of time for the six months.

Q. But during that length of time there must be a good part of the season when they cannot do much?—A. Well, six months, you know, is more than 98 days.

Q. From Halifax harbour east to Red Point they fish from April 1 to June 30, and you think that to the westward of you the time should be changed to when?—A. Give them to the 15th of May; that is giving them a good time.

Q. Where would you make the division line?—A. Those five districts that go as far as Halifax; take 15 days off each one. Make some end June 15 and some end a little earlier.

Q. And let you stand as you are?—A. As we are, or take it off in April and put it on in July.

Q. At what time do you think the lobsters spawn?—A. This year they spawned late; the season was over mostly then.

Q. Are they later some seasons than others?—A. I suppose it is on account of the weather and the ice.

Q. Was there a greater quantity of ice off here this spring?—A. Yes, sir.

Q. And you tell me that it would not make any difference to the canners here if the law were strictly enforced?—A. Not to me. I don't know about the rest, because, as I told you, there would be only 10 per cent lobsters of that size in the spring, and coming on to the last there would be 2 or 3 per cent. The number would only be in the spring early.

Q. Would the fishermen continue to fish; would they not object?—A. Oh, yes; I suppose they would.

Q. Do the fishermen expect you to take everything they bring?—A. I suppose they do.

Q. How do they fish, by the hundred pounds?—A. Yes, sir.

Q. At what rate per hundred pounds?—A. Sometimes \$4, sometimes \$3, and sometimes \$2.

Q. What was it this year?—A. \$2.50.

Q. Is it the same rate all through the season?—A. It was this year.

Q. What was the reason for the price being lower this season?—A. Well, the packers could not sell the lobsters. I have got some yet.

Q. That is canned lobsters?—A. Yes.

Q. Has it been the case that you have been compelled to accept undersized or berried lobsters for fear of losing your fishermen, who would in case of objection, go to other canners less scrupulous?—A. Oh, no; I never heard a fisherman saying that.

Q. With the size you take, what would be the run of lobsters to the pound tin?—A. It takes 6 and 7.

Q. What would be the average size of those lobsters; you only can the small ones and ship the large fellows?—A. Sometimes when the price is any good we can them all, but the majority of the lobsters this year went off. I did not can them. Loss or not, I used to let them go. Some weeks we used to lose \$40 or \$50, but that was the quickest way you could sell them.

Q. It has been suggested that for the better regulation and protection of the fishery, it would be well to license the fisherman as well as the canner—compel the lobster fisherman to take out a license at a nominal fee—perhaps he would not be

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charged anything for it; do you think that would have any effect upon the fishermen; would it make them more careful about observing the law?—A. Oh, no; there would be war here right away if they had to take out a license. It might mean a fee of 20 cents.

Q. You have told us that if the regulations were strictly enforced here it would not make any difference to you?—A. No. The last month of the fishing here our fishery overseer came down two or three days to the factory and stayed down until the fishermen came in. We had orders to take the lobsters as they caught them. He is here to-day, and can tell you.

Q. There have been various remedies suggested to the department for the improvement of the lobster fishery. The first and most severe remedy proposed is to stop the canning of lobsters universally?—A. That would not do.

Q. What would be the trouble there?—A. What are the people going to do then? How many people are there here that depend upon that fishery?

Q. Are most of the men who fish lobsters regular fishermen engaged in fishing the year around?—A. Here they are all fishermen. We have all kinds of fishermen here.

Q. In a great many places we find the men fishing lobsters are mostly farmers?—A. Not here in my district.

Q. The Lobster Commission of 1898 recommended that the fishery should be shut down by sections, and that the closing down should continue gradually around the coast?—A. That would never do.

Q. What would be your remedy for the condition of affairs, what would you suggest yourself as the best thing to do?—A. One half the lobsters are female lobsters. Take a part of them and put them away and let them go when you are done fishing. If you want a thousand or two thousand, build one of these pounds for the factory. Now this year I gave the hatchery at Canso three hundred and some odd spawn lobsters or rather I took the eggs off those lobsters and gave them to the hatchery and I threw the lobsters away; they were no good to me. They promised to pay me for them. It is just as well for the government to pay for them and save them.

Q. And you say those lobsters were no good to you?—A. They would not live eight days.

Q. Could you not can them?—A. We do not cook lobsters every day. I don't get enough to cook every day and all the other factories do not this last few years, so it is just as well to take the whole thing.

Q. There are many places where it would be impossible to establish pounds.—A. Well build at the nearest place suitable for a pound for two or three hundred dollars. You can put the lobsters in for about \$50, you can put a thousand lobsters in. All you have to do is to keep them six weeks. I kept them eight weeks myself and they did well. You could keep them as long as you wanted to.

Q. And do you lose many by the lobsters attacking each other?—A. Not if the space is big and they are well fed. In the spring of the year you can get plenty for them to eat for nothing. All you have to do is to keep them six weeks. The lobsters don't all hatch at the same time. You take two lobsters and put them in the pound and in two or three weeks you may have young lobsters. Put the two lobsters together and one will hatch out today and the other not for three weeks.

Q. Do you think the spawn lobsters hatch out very quickly?—A. That is my opinion. I proved it this summer. The steamer from the hatchery brought ten million young lobsters the other day.

Q. It has been suggested by Professor Prince, I think, that we should have a universal close season for the whole Atlantic from the 15th of July to the 1st of January?—A. Well that would not suit us very well because we are too far from the market. It would not suit for me and all the rest that are in the same business.

Q. What part of the season would not suit you, the early part or the last part?—A. It would not suit all hands to be under the same season because we are all too far from market.

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Q. You mean that the market would be gone before you could get in?—A. Yes.

Q. Fall fishing I suppose is out of the question here?—A. If we could get a month now is the time.

Q. Do you think the lobsters are in good order now?—A. Yes.

Q. Have they recovered from shelling?—A. Not now but in two or three weeks.

Q. That would be the month of September. Now as to the matter of licenses you know the policy of the department has been to restrict the number; what do you think of that?—A. Well that was a good thing in one way because everybody wished to go into canning lobsters, and after a time they were no good and used to spoil the good packs. I know some experienced men that went in ten years ago and lost all. It would not be right for everybody to go into the business.

Q. Do you think there is any good reason why one man should be granted a license and another man refused?—A. No, everybody should get a license if they are qualified.

Q. What qualification would you insist on?—A. Anybody that has had experience and been canning lobsters before.

Q. The fishermen might not possibly agree with the canner as to the price they were getting; do you think it would be right in that event for the fishermen to be allowed to can for themselves if they could get a license?—A. Yes, if they could.

Q. They might not have experience, but they might have sufficient capital and could get a man with experience to do the work for them?—A. Yes.

Q. Within the last few years the department have been granting what are called co-operative licenses where a number of fishermen club together and apply for them?—A. Yes.

Q. Do you think that is a right policy to follow?—A. Well if those lobsters turn out as good as the rest. But we bought lobsters from some of the fishermen and had to throw them away.

Q. You could not ship them?—A. No.

Q. Do you think it would be proper to insist upon an inspection in the cannery?—A. No.

Q. Why would it not be proper to have the canned lobster inspected; you know that practically all other food products are inspected today?—A. As long as the man you appointed would know the business. Maybe I might think I knew more than he did.

Q. Do you generally sell your cases of lobster?—A. No. Mr. Duff sells them for me.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. No, they would lose. They tried it but could not do it successfully.

Q. Are you aware of fishermen ever having complained that they were not getting a fair price for their lobsters?—A. Oh, yes, every year.

Q. Is it to your knowledge that any fisherman has lost his catch of lobsters owing to the canner having refused to accept them?—A. No.

Q. What would happen here if the canneries were closed?—A. It would be bad for all hands. That is all they depend upon in the spring, there is no farming here.

Q. And at that time you have no other fishery they can turn their attention to?—A. No.

Q. Which branch of the lobster industry do you think is more remunerative to the fishermen, the live lobster trade or the canning?—A. The canning here.

Q. Do you think that the shipment of live lobsters should be favoured in preference to the canning industry?—A. No.

Q. Why not?—A. Because there is not a standard price. Today you may get \$8, tomorrow \$14, and the next day \$6.

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Q. In the case of the canned lobsters you know just what you are getting, it is a fixed price from the start?—A. Pretty near it. It would not be much out, only 50 cents or \$1.

Q. Are the present facilities adequate for the proper handling of the live lobster trade?—A. No.

Q. What more would you require?—A. In the first place I would require to have connection from Cape Auget to Arichat which I have not got. This year many days it has cost more to take the lobsters from Auget to Arichat rather than from Canso to Halifax. You see I had to track these lobsters eight miles.

Q. From your experience can you say whether the hatcheries have helped to maintain the supply of lobsters or not?—A. Not to my knowledge, I never saw them.

Q. Have you anything to suggest which in your opinion would make the hatcheries more useful?—A. No.

Q. Would you prefer a system of pounds to hatcheries?—A. Yes, I believe pounds are the best small pounds, not the big ones.

Q. Have you any experience as to pounds yourself?—A. Yes, sir.

Q. Would you tell us what it was?—A. I told you we used to keep the lobsters six or seven weeks. It is very easy to keep them for that length of time in a pound if you feed them, not a big quantity, four or five thousand would be enough.

Q. How long would you propose to hold them in the pounds?—A. Six weeks. The last you put in will be only one week. When you came to the last if you had not the quantity you could put in more——

Q. Would you hold them until the close of the season?—A. Yes. At the last you could put in the female lobster with no eggs outside to make the number up.

Q. Your idea is that you should not only protect the berried lobster but all the females?—A. Of course. What is the use of 300 lobsters for a summer when there are 300,000. It is only a matter of a few weeks and those same lobsters would have eggs on.

Q. Is there any fishing done here after the season closes?—A. No, not that I know of.

Q. Do the fishermen suffer much loss of gear?—A. They do in the spring more or less.

Q. What do you think of the method of stamping the cases?—A. It is pretty good.

Q. But there is no fishing after the season here?—A. Oh no.

Q. What do you think about fishing in bays, lagoons and shoal water places? In many places on the coast we find that the lobsters late in the season go into these places. In my opinion there is no doubt they go into spawn?—A. Yes, they should stop that.

Q. Have you put female lobsters into your pounds that had no berries outside?—A. Yes, a good many.

Q. With what result?—A. The result was that the eggs came out after a week or so.

Q. Have you ever held her until she hatched?—A. No, we were not allowed you know. I suppose some would hatch during the time but you would not be able to tell.

Q. What style of trap do your people fish?—A. Traps made with laths.

Q. Yes, I know, but there are two or three varieties.—A. They have all kinds here.

Q. Is the old fashioned trap used?—A. They have traps with five heads, some with four and some with three.

Q. Do you think that any of those traps are too destructive, that they capture too many small lobsters?—A. No.

Q. Do you think it is possible to so arrange the space between the laths of the trap that a larger proportion of small lobsters will escape?—A. Well as to the small lobster here there are very few that——

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Q. I am not speaking particularly with regard to here.—A. The lobster that goes into the trap is held for 24 hours. Even if the laths were far apart the lobster would fall in a corner.

Q. You think they would not go out of the trap?—A. They might, some.

Q. We find in many places traps that have only half an inch of space between the laths and hold everything that goes in; do you not think it would be right to insist that the space should be very much farther apart?—A. No, not here. You would have to break all the traps.

Q. But in the case of future traps?—A. You would have to watch every fisherman when he makes them.

Q. Do you think if we insisted upon the traps being made in that way, it would be the means of allowing the very small lobsters to escape?—A. If they had the traps as you mentioned they would not be able to get any.

Q. Do you not think the small lobster should be allowed to escape?—A. Well, maybe there are none bigger in places.

Q. Then let them shut up and wait till they grow bigger?—A. They would never grow bigger, not in those places. On sandy bottom there is not much to feed on, they just crawl from one end to the other.

Q. Have you any statements that you can lay before us as to how your shipments have turned out?—A. I have none with me here.

The COMMISSIONER.—Mr. Kyte, do you desire to ask any questions?

Mr. KYTE, M.P.—I must say I feel like congratulating the witness upon the readiness and conciseness of his answers.

The WITNESS.—I made a lobster grow three pounds. I kept him for about six weeks. Mr. Loveless brought it to me. It weighed nine pounds, and had been caught in the harbour somewhere. I said: 'I will keep him and feed him and see what I get from him.' I used to put in six herring, and he ate them all in one day.

By the Commissioner:

Q. Where did you keep him?—A. Inshore. There was one time he was eight days without food, and lived all the same. Then I put codfish in, and he ate all of that meat. I took him out after a while and brought it to the convent and gave it to the sisters. When I put it on the floor they were all scared. They had to break him to cook him. When weighed he was three pounds heavier than when put into the pound. I have seen them get a lobster of 10 inches and keep him three or four weeks, and he grew half an inch if you fed him.

Q. They are supposed to grow two inches in a year?—A. Maybe this was the season they would grow more.

Q. I suppose they will grow more than that?—A. You would not believe it, but a lobster will eat six herring in twenty-four hours. I kept him several days without anything to eat, and he was just as heavy. Of course, the food he takes in he digests it afterwards.

Witness discharged.

CASIMIR VIGNEAULT, fisherman, Arichat, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. Twenty years.

Q. Have you always carried on your fishing in this neighbourhood?—A. Yes, sir; that is lobster fishing.

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Q. Do you carry on your fishing off shore?—A. Back of Jerseyman island.

Q. Right out into the Gut?—R. No; that is the island off here, the southwest part of it.

Q. At what time of the year do you begin to fish?—A. As soon as the ice has passed.

Q. When would that be, one year with the other?—A. Some years we commence the 1st of April, but I must say the 1st of April is no good to us here, because these last years we cannot fish until coming on the last of that month.

Q. What is that owing to?—A. Owing to the ice and bad weather. Sometimes the harbour is frozen in April.

Q. Easterly winds prevail in the spring?—A. Yes, and the easterly winds bring the ice in from the east.

Q. What is your fishing season here?—A. From the 1st of April till the last of June.

Q. As a rule, then, you do not begin to fish before the 1st of April?—A. This year I made nothing until the last of April.

Q. You own your own boat and gear?—A. Yes, sir.

Q. Are there two in the boat?—A. Yes.

Q. What number of traps do you fish?—A. 100 is quite easy for a man. This year I ran less, because I was going to give up fishing lobsters.

Q. Is that the general rule; do the fishermen here not fish more traps than that?—A. It takes a big man, because all the fishermen have got other gear besides, nets and so on.

Q. They do other fishing at the same time?—A. Yes, there are only a few fishermen that run 100 traps.

Q. How often do you fish?—A. Every morning.

Q. Do you bait the traps afresh every morning?—A. Yes, sir.

Q. What bait do you use?—A. Sculpin and flat fish.

Q. In what depth of water do you begin to fish?—A. I fish some years in 14 fathoms of water and we stop in two so the sea won't break on them.

Q. How far off would 14 fathoms be?—A. Some years we fish at the Sable Rock. It lies three miles from Jerseyman island, about four miles from our shore.

Q. In what part of the season do you make your best fishing?—A. In May.

Q. Do you find a larger run or more fish then?—A. No, they are no larger in May, but you can fish them better. You cannot get to them every day on account of the water being so rough. Some days you will be three days without seeing a trap at all.

Q. But there is the best run of fish then?—A. Yes.

Q. What proportion of the fish you get out there will be under the 8 inch size?—A. We don't get very small lobsters here, there are very few small ones. Our head on the trap, the mesh, is three inches. If there was a small lobster he would have a chance to swim through.

Q. What style of trap do you fish?—A. They are nearly all what we call parlour traps. They are about three and a half feet long.

Q. Is the 3-inch measure on the head extension measure?—A. Yes, sir.

Q. Do you think the parlour trap is any more destructive to the lobster than the old fashioned trap?—A. Well, the parlour trap holds the lobsters better after they are in.

Q. If you happen to miss a day's fishing the lobsters will not get out of the parlour trap as they will out of the old fashioned trap?—A. No, sir. In the old fashioned trap the lobster has a better chance to swim out.

Q. What space do you leave between the slats of these traps?—A. About an inch I guess.

Q. Do you continue fishing in the same depth of water?—A. When it comes to the last of May we commence to haul in to shore, because the lobster crawls in more.

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Q. You follow the lobster inside?—A. Yes.

Q. At what time of the fishing season do you find the female lobsters with berries most numerous?—A. In May when the water gets warmer we get more.

Q. What has been the practice with regard to berried lobsters in the past, have they always been brought to the cannery?—A. Well, yes. When I first commenced fishing about 30 years ago there were a great many lobsters and we used to fire the berried lobsters out. I would fire them out and the other man would bring them in, and I guess after that they were all brought in or washed off. I washed a lot off myself.

Q. Is it an easy thing to wash the berries off?—A. Yes. Take the lobsters and slap them on the water. Give them three or four shakes that way (illustrating by a gesture) and all the eggs fall off.

Q. Does that injure the lobster?—A. I guess they are no good to can. The canner says they are no good to can.

Q. Those lobsters will not live long?—A. No.

Q. How are they for shipping away alive?—A. I don't believe they are any too good.

Q. What sort of lobsters are they generally, a good run?—A. These last years the lobsters are very scarce, but I think they are bigger than they were about five years ago although we were catching a great deal less. When I commenced fishing about 30 years ago I had only seven traps and I got 14,000 lobsters by count. This year I only got 2,000 weight. They have been decreasing every year.

Q. In number?—A. In number.

Q. But you say they are nearly as large?—A. Since three or four years I find they are bigger in size.

Q. But not so many of them?—A. No.

Q. What was the smallest lobster you ever saw with eggs attached to her?—A. About 8 or 9 inches. I don't believe I got any less than 9 inches with eggs.

Q. They are generally a good run of lobsters?—A. Yes.

Q. Do you fish right up to the close of the season always?—A. Yes, sir, I fished to the last day this year.

Q. What do you think about this matter of licensing the fishermen?—A. Well I don't see that it would be any good. I don't see why they would put a license on the fisherman.

Q. It is not proposed to charge any heavy fee?—A. It is to give a man a job that is all I suppose.

Q. The same fishery officer that has the job now would be expected to look after the licensing?—A. Oh no, there would be somebody else.

Q. The idea on the part of those who made the suggestion is, that the fishermen who have taken out a license would be more careful to observe the law, and if any were found violating it systematically their license would be withdrawn and they would not be allowed to fish lobsters?—A. I don't believe it would be of any value here because I do not think the law is violated any here in regard to small lobsters I don't believe there are any.

Q. How does the price paid for lobsters at present compare with what you received when you first began to fish?—A. This year it was low. Last year and the year before the price was good. This year we got \$2.50 and the year before we got \$4.

Q. And what was the price when you first began to fish?—A. When I first began we were doing better because there was more lobsters. The price was \$3 then. I got 14,000 count and \$3 per hundred weight. No, by count, there was no weight at that time. They are only weighing them now.

Q. You mean to say you got \$3 per hundred when you began to fish first?—A. Yes, sir, 18 or 20 years ago.

Q. In the inner Gulf at that time they were only worth about 50 cents a hundred?—A. We own our gear you know.

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Q. How is the price fixed as between the fishermen and the canner?—A. They fix the price in the spring. They offer so much and we have to fish for that I suppose.

Q. Do you think there is any competition at all in the matter?—A. There may be with the canner, I don't know. There is none with the fishermen.

Q. Do you think there is any combination on the part of the canners to keep the price at a fixed rate?—A. I am not in a position to know that.

Q. You expect the canner to take everything you bring in to him?—A. Yes, sir.

Q. Do you think there is any disposition on the part of the fishermen now to protect the berried lobster better than they used to?—A. No, there is no more protection for the she lobster than when I began.

Q. How could we get at the fishermen to make them understand the necessity for saving and protecting that lobster?—A. Have the government buy them, I don't see any other way. It would be cheaper than to have those cutters out I think. Here there were only about three or four she lobsters caught that the canner got.

Q. Out of every hundred lobsters you catch how many are female lobsters with berries?—A. The canner goes over them every second day. Some mornings when I go to the factory—I do not go every morning because I live three miles away—I will have two, some mornings one, and some mornings none at all.

Q. How many would you say there would be in every hundred lobsters taken?—A. That carries the eggs on? There might be two or three, perhaps more.

Q. Is there any one time in the season when there are more female lobsters with eggs than at other times?—A. As the lobster fishing goes on there are more. In May when we get our traps inshore there are more she lobsters.

Q. When you go into shoal water?—A. Oh, yes.

Q. Has the practice of stripping the eggs off the female lobster been followed by the fishermen here?—A. Yes, I believe so.

Q. As far as you know have the canners ever objected to receiving berried or undersized lobsters?—A. No, they take whatever we bring them.

Q. Seeing that there are only two or three female lobsters with eggs, per hundred, would it not be possible to induce the fishermen to put them in the water outside?—A. Heave them over after you get them?

Q. Yes?—A. You will have them every morning then.

Q. Very well, heave them over again if there are not more than two or three per hundred?—A. If all the fishermen were honest. One may heave them out and perhaps his neighbour alongside may wash the eggs off.

Q. Do you think that preaching to them would do any good?—A. No. If you had the Almighty he would not.

Q. It has been suggested that we might send some person around in the winter time to meet the fishermen and explain to them the necessity for observing the law?—A. You could not do that.

Q. You think that would not work?—A. Not until they all combined to put these lobsters in the water.

Q. Then we would have to pay them for doing it?—A. Yes.

Q. We would have to pay them to observe the law?—A. If there was a man to receive the she lobsters and take care of them.

Q. What would you think of establishing hatcheries?—A. Since I have been fishing lobsters they have got hatcheries all around us here.

Q. No. There is one at Caribou and on at Canso?—A. They say they are doing very good work at Caribou. The lobster fishing has been decreasing here every year. They come and get our spawn and they land the young lobsters over on the Halifax shore or somewhere else. This year they were landed here. I never heard of any young lobsters being put in our bay until this year.

Q. This year they did put them there?—A. Yes.

Q. What do you think of the system of pounds?—A. I believe it ought to work very good.

SESSIONAL PAPER No. 22a

Q. There must be opportunities all around here for the establishment of pounds?
—A. Sure.

Q. You want lots of salt water of good depth and a chance to bar the lobsters in?
—A. There are lots of such places here.

Q. What about closing down the fishery for two or three years; would you not approve of that?—A. I would not myself.

Q. You are going to give up fishing though?—A. We will have to give it up if this continues because we cannot make it pay.

Q. The only remedy you have to suggest is saving the lobsters and putting them into pounds or hatcheries?—A. Yes.

Q. What do you think about the matter of licenses; the policy of the department of late has been to restrict the number issued?—A. I was in the canning business one year. We took it into our heads that we were not getting enough from the packer and started canning. It was the biggest mistake that ever we made.

Q. Did you start alone or were other fishermen associated with you?—A. We were eight fishermen.

Q. What did you do?—A. We got cans from Halifax. We were the leaders of it and Messrs. Stairs & Morrow fitted us out. We went into the business and the price of lobsters was very low. We could have done twice as much if we had sold our lobsters to the cannery here.

Q. You struck a bad market?—A. Yes.

Q. Do you think the fishermen are better off as they are, or would they make more money if they went into canning?—A. I suppose the fishermen are better off the way they are selling to the canneries.

Q. I have no doubt there may be exceptional cases now and then, where fishermen may go into the business and do well?—A. This canning business takes a man that understands the thing properly. There are lots of fishermen like myself that do not understand canning. They understand fishing, but not canning.

Q. And furthermore it would require some business training to carry on the business successfully?—A. Yes, and you have got to have a market.

Q. With a view of giving the fishermen no cause to complain that they have not a fair show, the policy of the department at present is to issue a canning license to a number of fishermen—from 15 up—who club together and demonstrate that they are able to carry on the business; do you think that is a wise policy and that it gives the fishermen no cause to complain that they are not getting fair treatment?—A. I don't know that it would work here. The worst of it here is that they have too long a season to the westward of us. They are fishing too long for us. That is what injures our Boston market.

Q. That is as regards your live lobster trade?—A. And it is pretty well all.

Q. Is there more money in the live lobster trade for the fishermen than there is in canning?—A. Yes, twice as much. One year I made \$400 fishing lobsters and I don't suppose there was \$100 out of that that was canned.

Q. What is the average catch of a boat here per season in pounds weight?—A. This year I got 2,000, that is all.

Q. What is the best catch you ever had?—A. Fourteen thousand in count.

Q. What would that represent in pounds?—A. They would go over a pound a piece then.

Q. Do you think the department should encourage the live lobster industry in preference to canning?—A. Yes, I believe the live lobsters should be protected more. There is more money to us here if we can sell to the States, but they fish so long to the westward. In April the Boston boat does not run here, we cannot ship live lobsters.

Q. What do you think of the present size limit of 8 inches, would you advise any change in it?—A. No, I don't think so. Supposing we get the small lobster you only destroy one, but if you catch the she lobster and destroy it there are lots of lobsters gone.

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Q. What would you think of raising the size limit to 9 inches; if you are in favour of encouraging the live lobster trade a 9-inch limit is all you want for that?—A. They are not so particular in the States anyway now, they will take them any size.

Q. Do you think lobsters less than that size are being shipped?—A. I could not say that.

Q. What would be the effect of fixing the size limit at 9 inches?—A. I don't believe it would——

Q. How would it affect the canner?—A. It would affect him in some way. He would lose some by it.

Q. It would not affect the live lobster trade?—A. No, perhaps it would not affect it here as in some places it would.

Q. I understand that what you object to—and I suppose you represent the opinions of most of the fishermen here—is that they have too long a season to the westward of you?—A. Too long a season.

Q. That they continue fishing too late?—A. Too late for us. If they were going to stop the 1st of May or the 15th of May——

Q. Instead of the 30th June?—A. It would give us a chance here to trade with the Boston people, we could ship our live lobsters to Boston then. Here, if we could get a month or five weeks in the fall, it would be a great advantage to the fishermen.

Q. Do you think it would be possible to keep the fishing outside at a certain depth of water? We find that elsewhere great destruction goes on by fishing in very shoal water—in a fathom in some places, and the traps are practically dried out at low water—and we find them catching there a great many small and berried lobsters; what do you think of that kind of fishing?—A. Here we cannot fish that shoal water, because we lose our traps; they would break up. We are losing a great many traps as it is.

Q. And your losses occur in shoal water?—A. Yes.

Q. What sort of bottom do you fish on generally?—A. On rocky bottom.

Q. Is it to your knowledge that fishermen have ever lost their catch of lobsters by the canners refusing to accept them?—A. No; we have never been troubled that way.

Q. Have any troubles occurred at all?—A. Troubles about the price; but they would not last long.

Q. Is there any statement you would like to make of your own accord?—A. No.

Witness discharged.

JOHN R. MACDONALD, fisherman, Janvrin Island, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. About 26 years, as near as I can remember.

Q. Where do you carry on your fishing?—A. On Hastings shoals, western part of Madam island, entrance to the Strait of Canso.

Q. Have you always fished in the same place?—A. Within a radius of two miles I made a shift.

Q. But during those 26 years you have been fishing on about the same ground?—A. The same ground.

Q. What is the state of the fishing now?—A. It is dwindling down, getting less.

Q. Has it been that way all the time?—A. It has been dwindling the whole time. The season has got a good deal to do with it. We are hampered and bothered with the ice, so that very often we don't get our traps out until May.

SESSIONAL PAPER No. 22a

Q. On the whole, in spite of the season, you think the fishing is undoubtedly decreasing?—A. Decreasing.

Q. What was it like when you began; how many traps did you fish?—A. 60 the first year.

Q. And what did you catch?—A. I averaged about \$1 a trap. The lobsters were very low—I think it was 80 cents a hundred, between 60 and 80 cents a hundred by count.

Q. And you did not make more than \$1 a trap?—A. \$1 a trap, but we hove away a lot of the small ones.

Q. You had a great many big lobsters, and you did not need to save the small ones?—A. They would not buy them.

Q. What canner did you sell to in those early days?—I think Mr. Duff was the first one. He packed in the Strait of Canso.

Q. How many traps do you fish to-day?—A. Between 80 and 100.

Q. When do you begin fishing, one season with another?—A. I generally begin about the 15th of April.

Q. Do you find lobsters there as soon as you begin?—A. Yes.

Q. When do you have your best fishing?—A. I have my best fishing about the month of May.

Q. What depth of water do you fish in?—A. I generally commence in between six and seven fathoms of water.

Q. When do you move in?—A. I move in just as soon as the weather gets settled up and the ice moves away.

Q. Then you move into shoaler water?—A. Yes, between two and three fathoms.

Q. What run of lobsters do you get in shoal water as compared with deeper water?—A. About the same average; about the same quality of lobsters.

Q. Where do you sell your lobsters to-day?—A. Baxter's factory, West Arichat.

Q. What has been your practice; do you expect to sell to the packer everything you get, big and little, berried and non-berried?—A. Years ago we could not, but these late years they are packing them.

Q. Why could you not in the early years?—A. Because they would not buy the small lobsters then; they would not buy anything under nine inches.

Q. But now they are not so careful, they take anything they can get?—A. Yes, they take anything they can get.

Q. Does anybody come to that locality to collect eggs for the hatchery?—No, sir; not up there.

Q. Is there any station of the Fishermen's Union where you are?—A. No, sir.

Q. Are there many other boats fishing in the locality where you fish?—A. There are as many as 15 boats, I think.

Q. Fishing on that ground?—A. In the vicinity of that ground.

Q. You fish close inshore?—A. Pretty close.

Q. You do not lose much gear from rough weather?—A. Sometimes we do, we lose considerable some years.

Q. From ice or rough weather?—A. Some years from ice. More years from easterly gales. When we get into shoal water the traps break up and go ashore.

Q. Do you fish right up to the close of the season?—A. Yes, sir, we generally do.

Q. Your season there is the same as here? 1st April to the end of June?—A. Yes, when we can get April.

Q. What is your opinion about that season, is it the one that suits the best?—A. I think not because the month of April is no season on account of us always being bothered with the ice. I think if we could get a few months in the fall of the year, September and October, it would be of great advantage to the fishermen.

Q. I suppose where you fish you are sheltered in the fall, the winds are mostly from the west and northwest?—A. Yes, we are mostly sheltered.

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Q. It would be smooth water with you?—A. Not so much that but better in every way.

Q. Do you think it would be better for the lobsters?—A. Better for the lobsters and better for the fishermen, and I think it would be more satisfactory to the packers too, because very often in the spring of the year, say the last of May, when the mackerel come on the fishermen drop their traps and go catching mackerel.

Q. How would it do to knock off altogether in the spring and fish in the fall only?—A. I think it would be a very good idea so far as my opinion goes.

Q. It would suit you?—A. Yes, it would suit me.

Q. What style of trap do you fish?—A. The parlour trap I fish these late years, but I used to fish the common trap.

Q. Why did you adopt the parlour trap?—A. I found the parlour trap would hold the lobsters much better.

Q. What size mesh do you put in the ends?—A. About three inches.

Q. And what space between the slats?—A. About an inch and a half I think, that is as near as I can go to it.

Q. That is a very wide space?—A. That is what I find is the best. I generally put a lath as a measure. I don't take the widest, I take a narrow lath. I find the pots do better.

Q. What size lobster do you think will go out between that space?—A. It is a very small lobster, I cannot say altogether. I did not take great notice of that; when a lobster goes out between an inch and a half space I think they should be let go.

Q. Do you think the large lobsters chase the small ones out of the traps?—A. Yes, sir, I am of that opinion, they crush them up in the trap.

Q. Do you think it right to make a trap with only half an inch space between the slats?—A. I do not, I think not.

Q. I suppose all the fishermen up your way own their own boats and gear?—A. All of them so far as I know.

Q. What do you think of the proposition to have the fishermen take out a license?—A. I don't know how it would ever work. It might work very well.

Q. The object of the department, of course, is to have the law observed; you understand that?—A. I understand.

Q. And the fact appears to be that the law is not observed at all and never has been?—A. No, I do not think so.

Q. The idea of those who suggest licensing the fishermen is that if they took out a license, even if they did not pay for it, they would feel they were obligated to observe the law?—A. Yes, I understand that.

Q. And they would perhaps inform on others who did not observe it. If a man in possession of a license was known to violate the law that license would be cancelled and he would not be allowed to fish lobsters in future; do you think that scheme would work?—A. I don't know whether it would. I think it would be a sort of protection.

Q. Now as to the matter of payment for lobsters, how do you arrange for that?—A. Well the packer generally sets the price in the spring and we have to abide by it.

Q. And are you generally satisfied with it?—A. Some years we are. This past season we were not.

Q. Next year if the price goes up again you will be happy once more?—A. It is likely.

Q. Is there any competition in the matter or are you obliged to accept a certain price?—A. I think there is competition between some of the packers because some will come in and offer a better price sometimes for lobsters.

Q. Are you bound by your agreement?—A. We are not bound by any agreement, we are independent.

Q. You can sell to whom you please?—A. Sell to whom we please. We generally stick to the man who fits us out in the spring.

SESSIONAL PAPER No. 22a

Q. What has been your practice with regard to seed lobsters, do you brush the eggs off and bring the lobsters to the factory or throw the fish overboard?—A. I have thrown them overboard and have brushed them off.

Q. And brought them in?—A. I never bring them to the factory except at rare times because the smack always calls on us. My smack man would weigh them these late years and throw them overboard. In a morning I would only have one or two seed lobsters. I used to heave them overboard myself. If I saw three or four large lobsters I might save them.

Q. You understand though that these lobsters should be preserved?—A. I do.

Q. You are aware that it is wrong to destroy the berried lobsters?—A. I am aware of that but it is foolish for one man to heave them overboard and his next neighbour catch them and wash them off.

Q. Do you think that the fishermen would be better off if the season to the west of you were shortened a little?—A. I think it would be to our advantage a little.

Q. In what way?—A. On account of filling up the markets before we get any in. What the fishermen should get around here—that is as far as my opinion goes and I believe I am right—is a couple of months in the fall and a shorter time in the spring. If they never had any in the spring it would pay them better because they would not be hampered by the ice.

Q. That would be all right for the immediate locality but how would it suit the rest of them on the northern shore of Cape Breton?—A. I should think it would work as well up there as here, because they have more ice than here.

Q. Is the weather not rougher in the fall?—A. Perhaps it is. Perhaps the weather might make a difference. It would not be half as hard though on traps as the ice.

Q. What would you yourself suggest as the best way to protect the berried lobster?—A. To have some hatcheries placed on the shore would be the best protection I know of.

Q. Have you not a hatchery at Canso?—A. I don't think any of our lobsters caught up west of here where I belong go to that hatchery.

Q. And do they never come down from Caribou for eggs for the hatchery there?—A. I have never seen them collecting any.

Q. As to the matter of pounds, what do you think; you have heard what the other gentlemen have stated and what has been said about pounds here?—A. I don't know much about these pounds. In fact I don't know anything about hatcheries either.

Q. But you understand what a pound means: It is merely a place you pen the lobsters in. You would buy the berried lobster from the fisherman and hold her in the pound. If she spawns out, well and good, and if she did not we would release her at the close of the season. Are there places in your neighbourhood where pounds could be established do you think?—A. I think the water is too shoal.

Q. You must have a certain depth of water?—A. I think the lobsters would die. On the outer part of the shore they would get broken up with storms.

Q. What do you think of the department's policy in limiting the number of canneries?—A. It is not a matter that I know anything about. For the fishermen's part I think the more factories opened the better.

Q. The more competition there would be?—A. Yes.

Q. What do you think about the policy of issuing a license to fishermen who club together and allowing them to can?—A. It might suit in some localities. It would not suit where the fishermen are so far apart as where I live.

Q. Are live lobsters shipped from your locality?—A. From West Arichat, from the factory I sell my lobsters to. They ship them alive.

Do you think they ship a considerable part of the catch, all the large lobsters?—A. I think they do. They did years before, I don't know what they did this year. I think they shipped some.

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Q. Of the two branches of the lobster industry which do you think is the one that should be favoured, the live lobster trade or the canning?—A. I cannot give you much of an opinion as to which would be the best.

Q. Would it be possible for the fishermen to ship lobsters direct to the market themselves?—A. In some places it would, in other places it would not. Where the fishermen are scattered on different parts of the shore it would not suit them at all, because a boat would have to meet them along the shore end and would have to pick them up.

Q. Is it to your knowledge that any fisherman has lost his catch of lobsters by the canner refusing to take them?—A. No, sir, it is very seldom they can get enough.

Q. What would be the effect, do you think, if the regulations were strictly enforced, if we compelled all the berried lobsters to be put back in the water and adhered absolutely to the 8-inch size limit?—A. I cannot tell you.

Q. Would you be able to continue fishing?—A. Well, I think I would continue fishing. Of course in the vicinity where I fish I get very large lobsters.

Q. What is the average run of lobsters?—A. From 8 to 10 and 14 inches that I catch. Some are under that.

Q. You have such a small proportion of small lobsters that it would not cripple you if you had to throw them out?—A. No, if I were to heave away the 8-inch lobsters I don't think it would hardly cripple me. But I know fishermen who do not live far from me that it would cripple. It depends on the kind of bottom you fish on.

Q. Speaking generally, how would it affect the fishermen in your neighbourhood?—A. I think it would affect them to a great extent.

Q. How would it affect the canner?—A. I have no idea of that.

Q. In a great many places they have told us that they could not continue to can but they would have to give up the business?—A. I know a great many fishermen in the Strait of Canso that would have to give up, it would not pay them at all.

Q. Have you any idea how many out of every hundred you catch are berried lobsters?—A. Well there are different days. Some days after a heavy storm and the seaweed is all kicked around, there would be more. In calm moderate weather we would find less of them. Some days we find two to a hundred. Perhaps some days we would get five, and perhaps other days we will not see one.

Q. You think you are more apt to get them after a storm?—A. I think so.

Q. That is because they have been disturbed in their nests?—A. Yes.

Q. Have you told us when you make your best fishing?—A. In the month of May. That is in a season when we can fish in the month of May and are not troubled by the ice.

Q. Does the ice sometimes interfere with you in the month of May?—A. Yes, very often late in May. In fact I have seen it interfering with us in June.

Q. Is there anything you would like to say of your own accord?—A. I would like to make the suggestion that we should get a couple of months in the fall and have less time in the spring.

Q. Is that feeling general where you come from?—A. I would think that is general among the men I have seen, among all my neighbours around, all the fishermen except one or two. I have seen 10 or 12 men and they were all of that impression.

Witness discharged.

HENRY DUFF, canner, Petit Degras, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster canning industry?—A. This was my 26th summer in Petit Degras.

SESSIONAL PAPER No. 22a

Q. Have you carried on canning anywhere else before that?—A. Very little. Up in New Brunswick, in the Miramichi, but very little there. It was principally salmon there then.

Q. Were there any other canneries in operation when you came down here?—A. Yes, an American firm—Lewis.

Q. Your cannery is at Petit Degras, where you reside?—A. Yes

Q. Do you run more than one cannery?—A. No, just the one.

Q. I understand that you are engaged in other branches of the fishery?—A. Yes; a general fishing business.

Q. What number of boats do you fish?—A. We do not own any. It is different there from other places. The fishermen supply their own boats and traps and all the gear.

Q. You outfit in what way?—A. They get the supplies, but they outfit themselves.

Q. What is the total number of boats that would be fishing lobsters for you, one year with the other; I suppose it varies?—A. There would be 10 or 12, perhaps a little more.

Q. What number of cases did you pack this season?—A. 395.

Q. From 10 to 12 boats?—A. Yes.

Q. How does that fishing compare with preceding years?—A. It is slacker, not so much fish. They have got to go farther for them

Q. Have you to fish more gear to get the same quantity of lobsters?—A. We have to fish more gear to get the quantity.

Q. What were the conditions when you first began to pack as to quantity, the distance of the fishing ground and the run of fish?—A. They got them right close to the shore then, that is compared to now.

Q. And there was a better run of fish?—A. Yes; no question about it.

Q. What were the regulations in force then?—A. We had a close season in the month of August, I think it was.

Q. There was no size limit?—A. Yes, 9 inches.

Q. Where do those fishermen who sell their catch to you fish?—A. Outside the harbour and in among the islands—the Green islands.

Q. What is the average depth of water they would be fishing in?—A. Ten or twelve fathoms.

Q. Do they follow the same practice as other fishermen of setting their traps in deep water and moving in as the season advances?—A. I think so.

Q. Have the regulations as to size limit and berried lobsters ever been enforced?—A. I know there is a certain amount of fear with the fishermen or the packer that the local officers are coming. They have got to watch them, and it keeps them back some.

Q. Has the amount of gear increased very greatly?—A. Yes, I think so. They fish more traps to the man.

Q. From your observation, what do you think is the principal spawning month of the lobster?—A. July and August.

Q. Could you give me any idea of the percentage of berried lobsters per hundred that your fishermen take?—A. No, I could not.

Q. As to your lobsters, how many do they run to the pound tin?—A. Ours take 500 pounds, very close to it, of green lobsters to make 100 cans—100 pounds of meat, of shelled lobster. That is just about as close as it can be. That is the full hundred pound cans.

Q. Has the quantity varied greatly since the beginning of your experience?—A. Take it from the beginning, and 200 pounds of green lobsters would give 100 pounds of meat.

Q. How do you think the department can best proceed in order to save the berried lobster?—A. I have a good deal of faith in these pounds if they are placed suitably by the factory, even if it was only a small pound. In the case of even small

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pounds containing two or three hundred lobsters, according to the way they figure it out, does it not mean millions of eggs? There are places suitable all around the shore.

Q. Are there suitable places in your neighbourhood?—A. There is a place out there. The idea would be to have a place that a man of experience, who had an idea of what was required, would consider suitable.

Q. Do you think if the canners generally refused to accept berried lobsters, the fishermen would return them to the water?—A. That is a question pretty hard for me to get at.

Q. What do you think of the proposition to license the fishermen?—A. As far as giving those licenses, on account of my being a packer, I would not like to see somebody else packing, but outside of that we had the evidence awhile ago, since I have been here, saying that canning by fishermen did them harm.

Q. We have had a good many instances?—A. Well, if that was the case, it was not wise to give them a license.

Q. It requires a certain amount of business capacity?—A. The man in question admitted that he would have done better selling his lobsters to the factory.

Q. But where the fishermen are disgruntled or disappointed, what do you think of the policy of allowing them to combine and try the packing for themselves?—A. I would say yes.

Q. It is necessary for them to do something?—A. I would say yes, in case they understood it better. They would then know there is not so much money made in packing lobsters. And then as to the price. They speak about the price this season being a low price. Was it not equal to the price of canned lobster in the English and American market and everywhere else? Was it not the same with canned goods?

Q. What is your experience, do you think the fishermen are getting a fair return for their work?—A. Yes, I do.

Q. As to giving fishermen a license to fish how would that work out?—A. I don't know.

Q. The idea of those who propose it is, that the fishermen having a license would feel himself more or less a fishery officer and obligated to obey the law and lodge complaints against those who did not?—A. Do you think he would feel that way? If he were drawing part of the fishery officer's salary he might.

Q. Do you think the parlour trap is any more destructive than the old fashioned one?—A. I don't know how it is, I don't think so.

Q. As to the matter of allowing a space between the slats, do you think it would be possible to insist upon a regulation governing that; we have seen a great many traps with only half an inch between the slats and that seems to us unnecessarily destructive to small lobsters?—A. I suppose the trouble would be then it is so hard to get at the traps. That would be the trouble.

Q. Do you think that a space of an inch between the slats would be unfair to insist upon?—A. I don't know.

Q. They used to put the slats farther apart in the early days than they do now?—A. But then they had bigger fish to hold in.

Q. As to the matter of undersized lobsters, how would a strict enforcement of the 8-inch limit affect the canners in this neighbourhood, would it force them to shut down?—A. It would in the case of the smaller packer.

Q. For a short time?—A. Yes.

Q. But ultimately, do you not think, it would have the effect of improving the catch?—A. That may be.

Q. Do you take any part in the live lobster industry?—A. No.

Q. The facilities where you are do not exist?—A. No, we have not got the facilities now.

Q. Where the facilities do exist do you think it would be wise on the part of the department to encourage that trade rather than the canning?—A. Well, if the parties

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in the different districts were engaged in it and did better with it—made more money—I suppose it would.

Q. In Charlotte county and up the Bay of Fundy where they are close to the live lobster market, the department's policy is to increase the size limit and in that way develop the live lobster trade; here the conditions do not exist for anything of that kind and the same policy would not be justified?—A. No. The factory at Cape Auget ships live lobsters. We used to some years ago at Petit Degras but not this last few years.

Q. That is because the facilities do not exist I suppose?—A. Everything seems to be unhandy about it.

Q. Do you think the present size limit of 8 inches is a fair one to insist on?—A. I do.

Q. Would you advise the department to enforce it strictly, do you think that could be done?—A. That is the question. I don't know whether it could or not.

Q. It would be difficult to do it?—A. Certainly.

Q. Do you remember when an attempt was made to enforce the 9-inch limit strictly; that was in Sir Hibbert Tupper's time?—A. Yes.

Q. Do you think that the decrease is still going on in the lobster fishery? We hear in a great many places that the greater part of this decrease took place some years ago and that it seems to be at a standstill, that there has been no striking decrease within the five or eight years?—A. I think that for the little fishing that was done this year the lobsters were more plentiful than for the last four or five years. I have heard different fishermen say the same on that same shore.

Q. Your small fishing this year was due to a natural cause, the rough weather?—A. Yes, sir, and the fishermen did not rig out, so we could not get the fish. But for the traps that were out I think it has been a little better than for some years.

Q. Is it the case that the low price prevented a good many men going out?—A. Certainly it did.

Q. The fishery was not as actively carried on as last year when the price was higher?—A. Not at all.

Q. To what do you attribute the failure in the fishery or rather the decrease in the quantity of lobsters?—A. Well, I suppose we have to come down and say it is the destruction of the female lobster.

Q. It is due to overfishing?—A. Something like that.

Q. Do you think it is due to that rather than overfishing generally?—A. Oh, I think so.

Q. It has been suggested that a minimum size for lobsters of 9 inches should be established for the waters north of Cape Canso, and of ten or ten and a half inches for the waters south and west of that point; what would you think of establishing such size limits?—A. I think that would be very good. That would be something like the 9-inch limit we had here before, coming back to the same thing.

Q. And the effect of a ten or a ten and a half inch limit would be to cripple the canning industry south of Cape Canso?—A. Certainly.

Q. And develop the fresh lobster trade?—A. That would be all right enough. The biggest trade is the live lobster trade.

Q. On the other hand it has been recommended that the size limit should be reduced to 7 inches and the season proportionately shortened, in each case of course strictly enforcing the berried lobster regulation; how would that appeal to you?—A. Well, the season is very short here now. It is called three months, but we have not got that time, two months is more like it.

Q. April is no good to you?—A. Not at all, it does not count at all. There are a great many think—I think so sometimes myself—that if May and June were given and then have September and October, it would be better. Why? Because the spawn lobsters have shed all their spawn then and they are just getting nice for us to take and can, or ship them alive. The spawning season we consider is all over then.

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Q. And the spawning season if you only fish in May and June will not have begun?—A. They are protected enough then. If you only fish May and June the lobsters have got all the protection they want I consider.

Q. Is it the case that the canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen who would in case of refusal go to other canners less scrupulous?—A. I don't think the fishermen are as bad as that, there are very few if they are.

Q. Is it the case that it would take 30 per cent more lobsters in number in the fall to fill a pound can than it does in May and June?—A. I don't think it would in the experience I have had. Some years I think they would be just as good.

Q. I think you have told us that if the present regulations were strictly enforced it would not make any great difference here?—A. No.

Q. Are the existing penalties sufficient to deter packers from violating the law if they were enforced?—A. Yes.

Q. In the event of persistent violation of the regulations should a canner's license be cancelled?—A. I don't know.

Q. Has the number of canneries reached a maximum compatible with the preservation of the lobster industry and should the issuance of further licenses be discouraged?—A. I don't think so here. There is only one factory running at Petit Degras this season.

Q. Do you think the amount of gear fished by any cannery should be limited?—A. No.

Q. It seems odd to limit the number of canneries and yet not restrict the amount of gear in any way where the gear is doing the damage?—A. Yes, but the way it is here there is not any overcrowded ground.

Q. What do you think of the various propositions that have been spoken of, for instance, shutting down altogether for a term of years?—A. I don't go in for that at all.

Q. You would not approve of shutting down by sections either?—A. No.

Q. It has been suggested further that we should abolish the size limit, shorten the season and carefully protect the berried lobster; what would you think of that?—A. One of the reasons I don't think anything of it is because I consider the lobsters have got protection enough now. We only fish two months really, May and June.

Q. Yes?—A. Well, in July we consider they spawn and the lobster is swimming around now clear of the spawn. If we could pack in September and October we would be putting up just as good lobsters as in May and June, and why should we be kept without them?

Q. You do not think that having two season of that kind, practically fishing for four months, would be unnecessarily exhaustive?—A. No, I do not under the circumstances.

Q. What do you think of the matter of lobster hatcheries, is it within your knowledge that they have done any good?—A. To speak directly I don't know that they have, but this pound business—

Q. Appeals to you more?—A. Appeals to me more, even if only small.

Q. Where pounds could not be established would you erect hatcheries?—A. There is something in that of course.

Q. The hatchery at Canso sends over to this side and gets the spawn or did so this year; did they take any from you?—A. Once or twice, but it was very little.

Q. Where have they been in the habit of distributing the young fish?—A. I could not tell you. They say this year they put a lot of them on this side.

Q. Is that the first time they have done so?—A. I don't know, I could not say.

Q. Now, as to the matter of inspection, do you think it would be right to expect the cannery to be up to a certain standard of fitness?—A. In the matter of the quality of the pack?

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Q. I mean in regard to the equipment of the cannery, having suitable tables and all that sort of thing?—A. I don't know that that would be necessary. I would think that the packers would do that themselves, they would look after that. There might be something in it, but of course they have an inducement to have the canned lobster clean and good, because the pack gets a good name, it will sell ahead of a poor pack.

Q. Is there a good deal of inferior canned lobster thrown on the market that interferes with the sale?—A. It was supposed that that was the general trouble last year both in the United States and in England.

Q. There was supposed to be a lot of it?—A. There was supposed to be a lot of it. I have heard men who are supposed to know all about it speak of it in that way.

Q. We do see canneries where things look very slipshod and the tables inside are rough, sour and evil smelling. I do not think the conditions exist there for putting up a healthy pack.—A. I am not one that has them that way. We have ours pretty clean but that lies with the man himself. He cannot sell his pack as well if he does not have it good.

Q. Apart altogether from the cannery do you think it would be wise to have the pack inspected as in the case of other foodstuffs?—A. There may be something in that. It may not do any harm to the man that makes a good pack. It may put his name up on the market.

Q. Other food products are inspected and bear a stamp denoting their quality?—A. It might be an advantage in this case too.

Q. Would you refuse a canning license to an alien?—A. I have never considered that much.

Q. As between two applicants I suppose you would no doubt say that the alien should not have the first chance?—A. Oh yes, I would likely go that far.

Q. What do you think of the policy of encouraging fishermen to co-operate in canning?—A. Well I don't see that it will do any harm. Of course if there is a group of fishermen and the factory were dependent upon them for fish, it would probably have to shut down altogether or pack less.

Q. Are you aware of any complaints by fishermen that the price paid by canners is not altogether satisfactory?—A. Oh yes, this year it was considered not satisfactory, but the last three or four years it was the canner that considered he was paying too much.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of canners to operate their factories although a sufficient supply of lobsters was available; do you know of any instance of that kind?—A. No, sir, I do not.

Q. What market would the fishermen in your district find for lobsters if the canneries were closed?—A. I don't know of any except they would have to have smacks from every place.

Q. The policy contemplated by the department's regulations is the taking of large lobsters and permitting the small ones to escape; is there any kind of trap better adapted than others for that purpose?—A. I don't know of any particular trap.

Q. Do you think that insisting upon a moderate space between the slats would effect that object?—A. That would certainly have something to do with it.

Q. The creation of an advisory board in connection with the administration of the lobster and other fisheries in the Maritime Provinces, has been suggested, would you approve of that idea?—A. Yes, I think that would be a good one.

Q. How do you think such a board should be constituted?—A. That would be for the province, would it?

Q. For the whole of the maritime provinces?—A. There would have to be some one connected with the lobster business as representative upon it. The different interests connected with it should be represented.

Q. I suppose the fishermen in some way should, if possible, be represented?—A. It would not do any harm at all and perhaps it might be a very good thing.

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Q. That would be following the Scotch example, would it not?—A. Yes, such a thing would make them feel interested.

Q. Is there any fishing or packing done here out of season?—A. No, I don't think there is any done here at all. That is not attempted here at all.

Q. Is there much gear abandoned in the water?—A. No, there is not. People generally get their gear out.

Q. Do you think that labelling the cases of lobsters answers any good purpose?—A. Do you mean to say would it be just as good without it?

Q. Do you think it prevents fraud in any way?—A. I don't know whether it does. Still it may.

Q. If there is no illegal fishing the system cannot be abused here?—A. No.

Q. It was with the idea of preventing illegal fishing and packing that the stamping system was introduced?—A. Yes. I think it is kept very straight here.

Q. I do not think there is anything else I desire to ask unless there is anything you wish to suggest yourself?—A. No, there is nothing.

STANAGE BINET, merchant, Arichat, called and sworn:—

By the Commissioner:

Q. What particular branch of the lobster industry do you represent?—A. Well I have been in the fishing business for 22 years.

Q. That is the general fishing business?—A. The general fishing business and the fresh fish trade, and I have been head man in a lobster concern for two years all around the coast from Saint Esprit to Madam Island.

Q. As a buyer of canned lobsters?—A. As the head boss. I had care of the system all round, buying for the markets.

Q. That is for the live lobster trade?—A. Canned and live—both.

Q. How many years were you engaged in that do you say?—A. I was two years in charge for them. My business here would not allow me to go any more.

Q. What particular matter is it that we can get evidence from you concerning?—A. Well, it is a communication regarding the shipment of fresh fish, and then I would like to speak as to the seasons.

Q. Which of the two branches of the lobster industry do you think is the most profitable to the fishermen?—A. The live lobster trade certainly.

Q. Do the facilities exist here for carrying on that trade?—A. Not exactly, but they can easily exist.

Q. How can they be provided?—A. By having the Plant line call here and providing a government wharf. The Plant Line steamship has to pass here to go to Hawkesbury and the company are satisfied to call. I hold letters from Mr. Perry on that subject.

Q. The Plant Line will call here if sufficient inducements are offered them?—A. Yes.

Q. In what way?—A. They don't want any inducement. All they want is the business and they want accommodation.

Q. In the shape of a wharf?—A. In the shape of a wharf.

Q. To which they can go?—A. Yes.

Q. If the wharf were provided they would come here?—A. Yes, I have Mr. Perry's word for it.

Q. And that would provide a very good means of placing the live lobsters from here on the market?—A. It would put the fishermen in this position: To sell to the canner or ship as he pleased. It is the whole we want benefited, and not merely a part.

Q. There is no doubt that branch of the fishery would be the most profitable one, especially if such good facilities were afforded?—A. Yes.

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Q. You wish to state something as to the season, what is your idea about it?—A. Well, we give the men on the western shore seven months and our men here only three months. Why make fish of one and flesh of another?

Q. You know the natural conditions differ?—A. I know pretty well the conditions where they differ. They differ because there is more money in the western man's market. He has got the whole of five months and the better part of our time.

Q. He is more favoured by nature?—A. Naturally he is, and he gets big dollars out of it.

Q. It is only reasonable and natural that he should?—A. It is not reasonable and natural that he should get seven months of it. I would start him in January 1.

Q. And let him knock off when?—A. He would have January, February, March and April. He would have time. That gives him one month for bad weather.

Q. And here what would you say the season should be?—A. The fishermen here think that from May 1st is better than April 1st.

Q. You would wipe April out and knock off when?—A. Knock off the last day of July. That is what I think the fishermen want.

Q. You would give the fishermen here three months?—A. Give them three months and a month in the fall if you are going to give other parts of the coast a month in the fall. I don't think the government should open up any fall seasons unless they made it general, and if it were made general we would be entitled to our fall season as well as the rest.

Do you think in view of the evidently diminished condition of the fishery?—A. The fishery has not diminished any.

Q. It has not diminished?—A. No.

Q. Are there as many lobsters yet to be found as were obtained formerly?—A. Certainly. You put some men on the same ground and they will get the lobsters quicker than the others. You take down at Kempt Point, about 12 miles below Point Michaud, where they have got fishermen on a large territory equal to Petit Degras, they have seven or eight miles. Well, the Smith boys alone sold me \$1,800 worth of fish from there.

Q. Are they from Lunenburg?—A. They belong westward of Halifax but came up here fishing. On the same ground there might be a great many other boats fishing, but these men got the lobster up quicker, that is all the difference. They weighed to the smack 1,200 to 1,500 pounds of lobsters in ten days.

Q. How do they fish?—A. With the common pots.

Q. They do not fish with trawls?—A. No single pots, and a full length of line.

Q. How long have they been fishing here?—A. These men fish there every season. They went in there early and fished on the right system. The other fellows commenced after they were through their planting. Farther down where Baker comes from, it is like our shore, too many pots on the same ground.

Q. Do you think the amount of gear fished should be limited?—A. No.

Q. How are you going to restrict the number of pots on the ground?—A. Give every man a chance that is willing to work. If one man is willing to put out 150 pots and the other is not willing to do it, I don't see how you can restrict that man. The season is the only thing you can restrict him on.

Q. To limit the number of canneries is the present policy of the department?—A. That is radically wrong and has always been wrong.

Q. What should be done?—A. Let every man go into the business who feels like putting in his capital. My business is one into which everybody enters. They do not restrict anybody going into my business.

Q. Would you insist on having a standard cannery?—A. Yes, the goods should be inspected like anybody else's.

Q. How about the cannery itself?—A. It should be kept tidy and clean. There should be a sanitary inspection the same as for anything else. All bad fish that is

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canned goes against the packer. The next season he will have a low price for the pack if it turns out bad.

Q. Do you think that if a license were given to every man who applied for it, the pack would be put up better?—A. He has got to take his chance in the business the same as the rest. Why should he be protected?

Q. Should he not be protected?—A. Not against the fishermen. You should give the fishermen the privilege of the market if they can get it. There are lots of business that fellows go into where they have got to take their chance. That is talking from the standpoint of the fishermen. Let the fishermen have all they can. The more men he can sell to the more competition there is, and it is better for the fishermen and the country at large.

Q. Do you not think the lobsters require some protection too?—A. They have got lots of protection in the present close season. The fishermen only fish 78 out of 365 days.

Q. In the face of that the fishery is decreasing?—A. I don't know as to that. Last year we had too many canned goods in the country. The market was flooded with canned goods that could not be sold, so there must have been more fish caught than the country wanted.

Q. Do you not think the general bad time the world over had something to do with it?—A. Not exactly, it would not make that overplus.

Q. Is there any other matter you desire to bring forward?—A. The providing of communication is a matter that serves the interest of the fisherman, because it will put him on an independent footing where he can either ship his lobsters or sell them to the canner as he pleases. That is the condition westward of Halifax and the men there are all prosperous. I do not see why our conditions here are not equally as good.

Q. Do you think two boats would come or only one in the spring?—A. In the spring one, and in the summer season two. The shipments made to Hawkesbury will lie on the wharf all day. From there they have got to go to Halifax and then on to Boston. Those 20 or 24 hours the lobsters lie on the wharf at Hawkesbury will have done the damage. If the fish come into this port they will take the boat from here and they will only have been packed an hour before that.

Q. What is the advantage of the live lobster trade over the frozen lobster trade; do you not think the lobsters would reach the market in a better condition if cooked on the spot than simply chilled and sent in cold storage?—A. I suppose that would be altogether left to the man who is running it.

Q. My own opinion is that the lobster which has been kept so long and no doubt exposed to the sun, is not in perfect condition when it goes into the pot.—A. Oh no, certainly not. Any live fish would depreciate thirty three and a third per cent in twenty-four hours, and mackerel in the same way. I shipped the first mackerel that ever went into Boston from here in the year 1887, when they did not have a refrigerator car on the Intercolonial. They sent me cattle cars from Truro to put them in. They did not know what a refrigerator car was.

Q. If the practice could be encouraged of cooking the lobster on the spot the moment he is taken out of the water, he would reach the consumer in much better condition?—A. The freight rate on a crate of lobsters indirect is \$2. Direct from here it would be only \$1.

Q. But supposing they shipped them cold storage already cooked?—A. Well, the cold storage would have to be at this end. It is an expensive business. Still there are a good many people like to have lobsters alive to eat in the restaurants.

Q. I do not think they would be as good as if cooked immediately they left the water?—A. I am told that live lobsters get to Boston in pretty good order.

Q. In a good many localities fall fishing could not be carried on—for example, on the north side of Prince Edward Island and the west shore of Cape Breton—because they are exposed to rough weather from the west?—A. Well, you see our men got two

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breaks this spring which made the fishing not successful. A man has got to look out and be ready for it. To a man round that coast the gear costs more because he wants more room. Now, in the matter of communication, the Plant line offered to take \$1 off the fare and so much off the freight if the communication were established. They would be only too glad to call here if the necessary facilities were provided. We want the same communication and the same power for our fishermen as the fishermen to the westward as near as we can.

Q. The percentage of berried lobsters to the hundred here is small?—A. My smack to the eastward of Point Michaud was getting 28 pounds of berried lobsters out of 5,000 pounds, but we were paid for them from Fourchu pound. My smack man took every berried lobster that came, and compelled Baker to take them. That man got 120,000 pounds of lobsters for me in that season, and I think there were over 24,000 pounds of berried lobsters. My opinion is they spawn two months, from the end of May to August.

Witness discharged.

CHARLES MAJOR, packer, Cape Delaronde, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing business?—A. Twenty-one years.

Q. Always in the same place?—A. Always in the same place. I am 21 years in this place.

Q. Before that where were you established?—A. I had three or four factories and I was there at the same time.

Q. How many factories are you operating now?—A. One.

Q. What number of cases did you pack this year?—A. 288.

Q. How does that compare with what you have done in other years?—A. We find it a little better. Last year was a little better, but it was owing to the fine season.

Q. The fishermen were able to fish uninterruptedly?—A. Yes.

Q. Was this year a very rough season?—A. Very rough. It was five or six years ago, but I find it rather better this couple of years.

Q. What number of boats fish for you?—A. About 18 boats. The fishermen fish their own gear.

Q. Sometimes there are more and sometimes less?—A. Yes.

Q. Where do they fish?—A. Right in the open sea, a rough place.

Q. When do you begin to fish?—A. It was May 6 in 1906; 8th of May, 1907; 28th April, 1908; and 26th April in 1909.

Q. Those are the dates of opening?—A. Yes.

Q. Did they find fish at once?—A. Yes.

Q. Are those the dates you began packing or when fishing commenced?—A. Those are the dates they began to fish.

Q. What depth of water do they generally fish in?—A. From 7 to 15 fathoms.

Q. And I suppose they do the same as everywhere else, move in as the season advances?—A. Yes.

Q. When do you have your best fishing?—A. Well, in May and June.

Q. Have the regulations ever been strictly observed, or do the fishermen expect you to take everything they bring in?—A. We don't take everything but they have a way of washing the female lobsters outside. We might see an odd one.

Q. And how is the 8-inch size limit observed?—A. Very good, but being that the season is so short a little lobster can do.

Q. You mean a little smaller lobster?—A. Yes, they are very good for canning, those lobsters.

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Q. How many do you run to the pound tin?—A. Well, I think it is about 500 to the 100 pounds.

Q. 500 pounds of green lobsters go to the hundred pounds of meat?—A. Yes.

Q. How was it when you began to fish?—A. When we began we paid for them by count, and so I could not tell you exactly.

Q. When did you begin paying by weight?—A. Since about ten years.

Q. What led to the change?—A. Well, the way it was, there were several reasons. Sometimes they would not give us the whole hundred. Some bosses would take 90 for 100 and such things, as that and it brought on weight. In bays there are lots of small lobsters.

Q. Do you find that you get a lot more small lobsters in bays than in deep water?—A. Yes.

Q. And are they generally caught towards the close of the season?—A. There is not much over where I am myself because it is an open sea, a rough place.

Q. In your locality are there any bays or lagoons where the lobsters go in?—A. There is a bay called Descousse where the lobsters go. They go all along there for thirty miles, past Hawkesbury.

Q. Do the fishermen fish with traps in there?—A. Very few.

Q. How is it they do not go in there, would it not pay the fishermen to fish there?—A. I do not think so, there are so many pots out in the spring. In the season they go there.

Q. You think they go in there to spawn?—A. Well, I would say something like that. Of course it is impossible for a person to know exactly.

Q. Still you are very apt to form an opinion?—A. It is my opinion they must spawn in some quiet water.

Q. What is your general experience; is the lobster fishery going down?—A. Not as much as people think. Where there used to be 6 fishermen there are 12 now, but they do not catch as much, it is more divided.

Q. There is a much greater amount of gear in the water, is there not?—A. Yes.

Q. How much more?—A. Four times.

Q. Four times as much gear in the water than when you began?—A. Yes, and five times. That is the reason the lobsters look less. There is less for every man but at the same time the price is more.

Q. What price was paid this year?—A. \$2.25, last year \$4.00.

Q. Per hundred pounds?—A. We made more last year than we did this year but the market was good then.

Q. In the matter of licensing canneries, do you think the department are wise in restricting the number?—A. I would rather leave that to the government.

Q. On the other hand if the fishermen think they are not getting enough out of the lobster fishery they want to be allowed to can for themselves in the hope that they will make more money?—A. Perhaps they would make a mistake.

Q. Do you think the policy of the department in allowing what they call co-operative licenses is a good one?—A. I suppose it would be a good policy enough. Let them try it anyway. After a couple of years they might find out.

Q. What is your opinion about the best method of protecting the berried lobster. how would you go to work if you had the making of the regulations yourself?—A. I think if they had pounds it would be better, I think we would save 50 per cent more lobsters in that way. Let the lobster go out into the pound. We used to fish them in the pound at Cape Delaronde, we used to catch lobsters that way. I think it would be a very good place to set out.

Q. How long is the place you refer to?—A. A mile long and a quarter of a mile wide, with from 7 to 8 fathoms of water.

Q. Is it narrow at the mouth?—A. Very narrow. It could be made less than 100 feet at the mouth.

Q. That looks like a good place; does the tide rise and fall in it?—A. Oh, yes. we have two pounds there. The pound where the factory is would be suitable, I think.

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Q. Of the lobsters that are brought to you, how many out of every hundred are under 8 inches in length?—A. Not very many.

Q. How would a strict enforcement of the 8-inch limit affect you; a great many canners have told us that it would put them out of business?—A. It would not be a great damage to me, but at the same time we have to look to the others. I think that having such a short time to set out, may be 7 or 7½ inches would do. Of course we do not see very many.

Q. You heard the other witnesses speak about the proportion of berried lobsters they got, what is the percentage in your case, do you think?—A. Out where we are we do not see many anywhere. I don't know how it is that we do not see many, whether it is that they are coming in towards that bay. But it is very seldom I see one.

Q. As to the matter of the lobster fishing season. You heard what the other gentlemen said about curtailing the season to the westward of you; what is your opinion about that, do you think it is unfairly longer?—A. I think if they would be satisfied—the way it is now it would be more of a protection for the future than to have fall fishing. That would be my opinion. In the next place I think they would lose all their gear. I know where we are we could not do it at all.

Q. Do you think that to the westward of here, across the Straits of Canso and down on the south side, their season is too long?—A. Well, I don't know.

Q. You are not interested in the live lobster business?—A. No, sir.

Q. You are only interested in the canning?—A. Of course up the bay, from Arichat west to Canso, fall fishing might suit.

Q. Is it the case that canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen who would go to other canners that would not hesitate to buy them?—A. They never troubled me much in that way. Of course I believe if there was very much opposition they would try that all right.

Q. What do you think of the proposition to require the fishermen to take out a license and register; do you think it would make any difference?—A. Do you know I think that would be rather a good thing.

Q. In what way?—A. They would look after the spawn lobsters in a way. Then if they were caught violating the law they would lose the right to fish.

Q. Do you think it would make them more careful?—A. I think it would.

Q. What do you think about the matter of inspecting the product of the canneries?—A. I think it is a very good idea. Those that put up bad goods would suffer for it.

Q. They suffer now, but they also make others suffer?—A. That is it.

Q. Is there any station of the Fishermen's Union where you are?—A. No, sir.

Q. Are you aware that any fishermen have complained they were not getting a satisfactory price from the canner?—A. I was paying \$4, as I told you, last year, and they were not satisfied. The market had been bad for canned goods and that is how the price had to come down, but when we paid as high as \$4.50 they were not satisfied, they thought we should pay \$5.

Q. I suppose we are all alike in that respect?—A. Yes.

Q. The fishermen are not any worse than the rest of us?—A. No, I am not saying they are worse.

Q. Is it to your knowledge that fishermen have ever suffered loss by the packer refusing to take their fish?—A. No, unless it would be this way: If they would keep their lobsters in tubs or anything else and would be too lazy to protect them and try to pass bad lobsters off on us.

Q. Fishermen have complained that the canner, with a view of keeping them down, has refused to take their lobsters and they have lost their catch?—A. I never heard of that.

Q. Have you any idea which branch of the business is the more profitable, the shipment of live lobsters or the canning?—A. Well, sometimes the live lobster trade

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is very profitable. Then when there is a glut the price amounts to nothing and the canners have got to can them. That is the way it is. If there were no canneries it would be all live lobsters.

Q. Is there any fishing after the season has closed where you are?—A. Not that I know of, there is none.

Q. There is no illegal canning?—A. Not since these factories have been licensed.

Q. Before that was there any?—A. There might have been a little at Point Michaud, but it never amounted to anything.

Q. Is there any other matter you would like to offer an opinion on?—A. As far as my part I think the way the season is where we are on the eastern shore would be about right.

Q. Just as it is now?—A. We have got two months anyway and I think the lobsters then are far ahead of the fall lobsters. They say they are darker. There was a time long ago when they used to pack in the fall and they say it was hard to put up good lobsters then because the claws were soft.

Q. We know there are some parts of the coast where you could fish in the fall and there are a great many places where they could not attempt to put out gear because they are too exposed to the fall winds?—A. No, they could not do anything.

Witness discharged.

ANGUS MACDONALD, manager, West Arichat, called and sworn:—

By the Commissioner:

Q. Are you a packer?—A. No, sir, not a packer exactly, but working under a packer.

Q. What cannery are you connected with?—A. H. C. Baxter and others.

Q. Who are they?—A. An American company.

Q. Have they more than one factory on this shore?—A. Not this present summer. They used to have one at Petit Degras, and one at West Arichat, and some in Inverness County, but this summer they have only the one.

Q. Why are they not operating the other factories?—A. I suppose they did not find any money in the business, there was too much opposition against them.

Q. What number of cases did you pack this year?—A. About 375, I think.

Q. How does that compare with last year and the year before?—A. Well, we ship part of our lobsters as live lobsters, we ship to market the largest lobsters in the catch.

Q. All above 9 inches?—A. All above 9 inches.

Q. What proportion would that be of your total catch?—A. That would be about one-third.

Q. Have you done that every year?—A. We did not ship any last summer at all.

Q. For what reason?—A. I suppose the reason was there was a difference made in the size of lobsters in the United States. Formerly, I understand, 10½ inches was the size limit, but lately they dropped down to 9 inches and the market was so glutted we were not able to ship at a profit. That is what I understand.

Q. What number of boats fish for you?—A. We have about 40 boats, I guess.

Q. Do the fishermen own their own boats and gear?—A. Yes, pretty well.

Q. Are they two handed boats?—A. Sometimes there is a man and a boy.

Q. What number of traps do they generally fish?—A. Well, possibly on an average they might fish—I would say 75.

Q. We find you fish much fewer traps than they do elsewhere. At other places there are men fishing 400 traps, how is it you have so much fewer traps here?—A. It may be for this reason: Some districts where they fish their traps are all on trawls.

Q. You fish single traps?—A. We fish single traps so that a man cannot very well fish any more than 75 to 100 to a boat.

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Q. What style of trap do you fish?—A. As I understand it, some of them are parlour traps with five heads.

Q. How do you find the run of lobsters now compared with what it used to be?—A. It is about the same run. I have run the shop for the last six years and I don't see any difference.

Q. Would you say that the lobsters are not decreasing any more now, that the decline has been arrested?—A. I would say that the weather has a good deal to do with it. Some springs it would so happen that we would get the month of April to work on.

Q. You would have a longer fishing season?—A. Sure.

Q. What is your best fishing time, when do you bring in most lobsters?—A. I would say that owing to the way the ice has been working around these last years we cannot fish in April. The month of May is the best month.

Q. Do you get a better run of lobsters in May, or does it run about the same all through the season?—A. Pretty well. There is of course a larger quantity in the month of May.

Q. And a larger run of lobsters? What proportion of lobsters that you take at your cannery will be under the 8-inch limit?—A. The lobsters range from 10 inches down. There is a larger proportion under 8 inches in the Strait of Canso.

Q. Are the fish taken as early inside as outside, are the lobsters there?—A. They are, but we cannot fish outside.

Q. Do they winter there?—A. I suppose they do, but the ice bothers them so that the fishermen cannot fish any sooner than about the 1st of May, the 8th or 10th of May.

Q. What has been your practice at your cannery, do you take everything the fishermen bring you?—A. Outside of the spawn lobsters.

Q. Have you always refused to take them or only recently?—A. Always refused. When we do get any on the wharf we chuck them overboard.

Q. Have the fishermen ever adopted the practice of stripping the eggs off the berried lobster?—A. I believe they do. Sometimes when they come in some of them are very scared looking.

Q. You have heard these various propositions as to the best way of re-establishing the lobster fishery. One is to shut down altogether for a term of years; what would you think of that?—A. It would not suit the district here very well, where they are looking for lobster fishing as a living.

Q. Are they paid cash for their lobsters?—A. Yes.

Q. Do they begin the fishery free of debt or do they get advances?—A. They used to before now, but at the present time they cannot get advances from the packer because he seems to think that they are not saving, but giving too many dollars in advance in that way.

Q. Then as a rule, the packer prefers to pay cash?—A. To pay cash.

Q. What would be the average earnings of a fisherman?—A. A lobster fisherman about \$75, I guess.

Q. For two months' fishing. That is at the rate of how much a hundred?—A. \$2.50 last season.

Q. What is your idea about protecting the berried lobster?—A. I think I would pay the fishermen for the spawn lobsters, separate them from the rest of the catch, get the fishermen to bring them to the wharf and let the packer at such a place take care of them—put them in a hatchery or pound or something of that sort to protect them.

Q. You think that is the best way?—A. That is the only way I can see. I believe the government can buy them to-day as cheap as the packer, and the fishermen would not destroy any of them. When the packer goes to work and says: 'We don't want them,' then the poor fisherman who is trying to make a few dollars, if there is a lobster that weighs three or four pounds, he is going to wash it and the consequence is you will get that lobster in bad shape.

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Q. What do you think of the matter of licensing canneries? Is the department acting wisely in your opinion in keeping down the number?—A. I think that protection is good.

Q. You would not give a license to everybody who asked for it?—A. No.

Q. The fishermen all claim they should be allowed to can for themselves in order to make more money?—A. I don't think so. If the canner is willing to pay a fair price and give them justice they will be better off than they are to-day.

Q. Do you think the fishermen have had a fair price?—A. Up to this last summer they had, because otherwise a man would not come in at all, a man of means would not bother with the thing, and the fishermen themselves might some day fall through and the thing come to nothing.

Q. How many of your lobsters does it take to the pound tin?—A. I don't know exactly.

Q. What weight of green lobsters does it take to fill a case, have you any idea of that?—A. 250 or something like that.

Q. As I understand, you think the duty devolves upon the department or the government to buy the berried lobsters from the fishermen?—A. Sure.

Q. And protect her as well as can be done under the circumstances?—A. That will be all right. The fishermen would save their lobsters.

Q. What do you think of the present fishing season; April does not count for much, but May and June how would you improve on that?—A. Well as far as April goes it is no use to the people on this island at all.

Q. How would fall fishing affect you?—A. I would not say more than a month or a month and a half. I would say fish during the month of September, or to the 15th of October, and cut the month of April out altogether. Then if the American buyers would not like to open their shops, we could arrange with the local buyers in this district to take our fish.

Q. Have you ever heard of any fisherman losing his catch of lobsters by the canner refusing to buy them?—A. I don't think so. Sometimes they may hold their fish for better prices and lose them by their own fault. We are always willing to pay for whatever fish we can get.

Q. Is there any particular point you want to call attention to?—A. I have nothing to say except that if the berried lobster is protected in that way it would improve the fishery and by doing that things would work better.

Q. Is there any illegal fishing going on after the season?—A. No, we are not smart enough for that in this country, we are too slow.

Witness discharged.

REMY LEBLANC, fishermen, Cape Auget, called and sworn:—

By the Commissioner:

Q. You are a fisherman altogether?—A. Yes.

Q. When the lobster fishery is over you fish for cod and mackerel?—A. Yes.

Q. How long have you been fishing lobsters?—A. About fifteen years.

Q. Have you always fished in about the same place?—A. Yes.

Q. What time do you generally begin fishing?—A. We never begin before the month of May.

Q. You do not fish in April?—A. No, it is too rough.

Q. And very often the ice prevents you I suppose?—A. Yes.

Q. Did the ice ever prevent you from fishing in May?—A. Some years.

Q. What number of traps do you fish?—A. Sometimes about 60, sometimes 40.

Q. I find you fish a very small number of traps here; do you haul them often?—A. I haul them every morning.

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Q. Do you fish them on trawls or independent lines?—A. One by one.

Q. How is it they do not fish trawls here?—A. It is too rough and you could not haul.

Q. What depth of water do you begin to fish in in the spring?—A. We begin in 10 or 11 fathoms of water.

Q. How far off shore does that take you?—A. About twenty yards from the shore.

Q. It is bold water?—A. Yes.

Q. What is the best time for fishing?—A. The best time is the last month. We never do anything before the last month.

Q. That is the end of June?—A. Yes.

Q. How do you find the fishing now compared with when you began to fish some years ago?—A. It is not quite so good as it was at the beginning.

Q. Are there any fishermen fishing in that same ground as you?—A. Only three. There are only four houses there in a little cove.

Q. Who is the packer?—A. Mr. Ciretto.

Q. Have you always fished for him?—A. No, Mr. Powers before that.

Q. Do you sell your fish by weight or by count?—A. By weight.

Q. At how much per hundred?—A. We sold it for \$2.25 this year.

Q. That is a little less than you got last year?—A. Yes, we got \$4.25 last year.

Q. The regulations are that you shall not take any lobsters under 8 inches or any berried fish; have these regulations ever been lived up to very strictly?—A. Yes, sir.

Q. Do you put all the berried lobsters you catch back in the water?—A. Yes, sir.

Q. How about the small lobsters?—A. The small lobsters, we never take any. They are all big lobsters because it is in deep water.

Q. What sort of trap do you fish?—A. We call it the parlour trap.

Q. Do you fish parlour traps altogether now?—A. Yes.

Q. What is the advantage of that trap over the other kind?—A. They are more lucky.

That is the parlour trap holds the fish better?—A. Yes, sir.

Q. If you are not able to fish one day you find the lobsters there the next day; they cannot go out?—A. No, they cannot go out.

Q. That is the only difference?—A. Yes, sir.

Q. Do you think the lobsters are as big now as when you first began to fish?—A. About the same size; well, they are a little bigger.

Q. You have a small number of fishermen occupying the same ground?—A. There were only two this year.

Q. And there are not too many traps in that place?—A. There are only about 60 traps.

Q. How is it that other people have not come in there to help you to fish?—A. They have no traps the other people.

Q. But if it is good ground to fish?—A. It is too rough. Some years we lose all the traps.

Q. What is a trap worth with its line and everything?—A. Forty or fifty cents.

Q. A parlour trap is worth more than the old-fashioned one?—A. Yes, the parlour traps are worth a little more.

Q. On what bottom do you fish, pretty hard bottom?—A. Yes, rocky bottom.

Q. Out of every hundred lobsters that you take how many are berried lobsters?—A. Sometimes it is very hard for me to tell. About 8 or 10 out of a hundred.

Q. Would there be as much as that all season?—A. No, we never see more than that.

Q. Do you not think that is a good deal; you do not get that average?—A. Oh, no.

Q. What would you put the average at; it would not be as much as that all the season through?—A. It would not be more than five or six.

Q. As much as that you think?—A. Yes.

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Q. At what time of the year do you see most of them?—A. About when we haul the traps.

Q. And at the end of June?—A. Yes.

Q. Has it been your practice to put the berried lobsters back in the water generally?—A. Yes, sir.

Q. Have you ever tried to rub the eggs off?—A. Sometimes. We try the best we can to make a living you know.

Q. Would you expect Mr. Ciretto to take everything you brought him?—A. Yes, sir.

Q. Big and little and every thing else?—A. I will be satisfied to do that.

Q. Have the fishermen complained, to your knowledge, about the price of lobsters not being big enough?—A. We complain sure. We complained this year, but we could not get more.

Q. What was the reason you could not get more this year?—A. That is hard to tell. They had no profit they said on the lobsters last year.

Q. A great many cans of lobsters packed last year are not sold yet?—A. Yes.

Q. How do you think we could manage to get the fishermen to put the berried lobsters back into the water; is there any way by which that might be done?—A. I suppose so.

Q. In what way; you know it is wrong to destroy them?—A. Yes, sir.

Q. Would it be advisable to get the fishermen to take out a license and then, if he violated the law, take away that license and stop him from fishing?—A. I don't know what to say about that.

Q. What do you think about it?—A. Maybe it would be better for ourselves.

Q. It would be better for those that always observe the law?—A. Yes.

Q. Some people say that if we get the fishermen together and explain to them the wrong they are doing and ask them to try and do better in the future, it would likely result in improved behaviour on their part. Do you think we could make any impression on them in that way?—A. You might, yes. You might get older fishermen than me to speak about it; I am not very old and don't know much about it.

Q. What is the best way to save the berried lobster; purchase her from the fisherman and get him to bring her in?—A. Yes.

Q. And then what could we do with her, put her back in the water and allow her to be caught again?—A. If you put those lobsters back into the water the fishermen will catch them again.

Q. And we would pay for them twice over?—A. Yes.

Q. What would we do when we did get hold of a berried lobster, take her to a hatchery or place her in a pound?—A. I think to put them in a hatchery would be the best way.

Q. Do you think the fishermen would make more money if he were allowed to can for himself?—A. I think so. A great many people could not can for themselves.

Q. It would take some money and a good business knowledge; I don't think the average fisherman would be capable of canning successfully without capital and experience?—A. There are not a great many.

Q. Do you think that if there were more canneries the fishermen could get a better price; would there be more competition then?—A. Yes.

Q. Is selling to the live lobster market or to the canners the most profitable to the fisherman?—A. I think selling them alive for the market.

Q. What do you think about the present season for fishing from the 1st April to the last of June, do you think it is about the best you could have?—A. Yes, I think it is about the best season. Well, if we could have the last month, the month of June, it would be the better way. Some people have done better in May, but if we can fish all the month of June it would be better for us.

Q. Do you not fish all the month of June?—A. No.

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Q. How would it be if you fished in July, would you destroy more spawning lobsters?—A. Not in the month of July, I don't think.

Q. In what month would you destroy more spawning lobsters, do you think?—A. From the 20th to the last of August, I think.

Q. What do you think about fishing in the fall?—A. In our place we have got no idea of that because it would be too rough.

Q. Then you don't want any fall fishing?—A. No.

Q. Do you think there is any fishing done after the close of the season, or do all knock off and bring their traps ashore at the end of June?—A. Yes, sir.

Q. There is no fishing done in July?—A. No, sir, and that would be the best time for lobsters.

Q. Is there anything you would like to say of your own accord?—A. You have got about all I want to say. I am sure that when we haul up the traps would the best time for us.

Q. That is with reference to your own place?—A. There are two or three other places the same.

Q. Down in that neighbourhood?—A. Yes.

Witness discharged.

WALTER GEORGE, fisherman, Janvrin Island, called and sworn:—

By the Commissioner:

Q. How long have you been in lobster fishing?—A. Since I was 12 years old. I am 37 years old now.

Q. When you began to fish was there much lobster fishing going on?—A. Lots of fishing.

Q. There was lots of fishing before that time?—A. Lots before that time.

Q. Had the lobsters begun to fail when you began to fish?—A. Well, when I began the lobsters were pretty fair.

Q. How it is compared with what they are to-day?—A. Oh, more.

Q. Would you describe the fishery as having failed?—A. Well, sure.

Q. In what way?—A. Well, I suppose the lobsters have been destroyed so much that they could not increase.

Q. Are you getting a smaller run of lobsters than when you began to fish, or less of them?—A. Well, they are smaller and less.

Q. What number of traps do you fish?—A. I only run 50 traps. I fish alone.

Q. You fish a single trap to a line?—A. Yes, a single trap.

Q. What trap do you use?—A. I use the parlour trap.

Q. When did you begin to use that trap?—A. It is about three years since I commenced to use it.

Q. Previous to that you fished the old double ender?—A. Yes.

Q. Are the slats in the trap put as far apart as they were when you began to fish?—A. Yes, just about the same.

Q. What distance do you allow?—A. I allow the width of a lath, that is a little over an inch.

Q. Do you think that style of trap allows a fair proportion of small fish to escape; a good sized fish will go through that space will it not?—A. I should think so.

Q. How big a lobster will you say will get through an inch opening?—A. A five inch lobster.

Q. Do you think the small lobsters do go through the slats?—A. They must.

Q. In your opinion do the big lobsters chase the little ones out of the trap?—A. If there are two or three big ones the little ones must get out.

Q. Do you notice that if there are two or three big lobsters you are not likely to have any small ones?—A. That is right, we don't have any small ones.

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Q. What size is the mesh at the end of the trap?—A. I make my mesh about three inches.

Q. When do you begin to fish?—A. About the 1st of April.

Q. Do you get out as soon as you can?—A. As soon as we possibly can and the ice allows.

Q. How do you find the fish there when you get out?—A. Not too plentiful.

Q. Not plentiful at first?—A. No, sir.

Q. When is the best time of your fishing?—A. About the month of May is our best fishing.

Q. In what depth of water do you fish at the opening part of the season?—A. I generally set in six fathoms first and I reduce down to three.

Q. As the season advances?—A. Yes, sir.

Q. How are the fish caught in three fathoms of water compared with those taken in six fathoms?—A. They are better.

Q. They are better inshore?—A. Yes, sir, bigger lobsters.

Q. What proportion of the total number of lobsters you catch are berried?—A. Well, there would not be over three or four to the hundred.

Q. And in what particular time in the season do you find them most numerous?—A. It is all owing to a storm. If there comes a storm when you set inshore you get more berried lobsters.

Q. That would look as though they were disturbed in their nests?—A. Yes, sir, that is just what is the matter.

Q. How do the seed lobsters run as to size?—A. Oh, well they run from 10 to 11 and 12 inches.

Q. They are generally a good lobster?—A. Yes, they are always good lobsters you know, the seed lobsters.

Q. Can you tell me as to the condition of the eggs; do you notice that the eggs late in the season are riper and more nearly hatched out?—A. Yes, sir.

Q. Did you ever notice the eye of the little lobster in the egg?—A. Yes, sir.

Q. I suppose all the fishermen in your neighbourhood own their own boats and gear?—A. Yes, sir.

Q. To what extent, would you say, the number of traps has increased within your recollection?—A. Oh, well, I don't rightly know. Some years they run big gear and other years they run small gear, so you cannot know.

Q. Is there more gear in the water than there used to be on the whole?—A. Indeed there is.

Q. When you knock off lobster fishing do you devote your attention to any other branch of the fishery?—A. Yes, sir, I am fishing the whole season.

Q. How late do you fish here?—A. Well, we fish until December. We have all kinds of fish you know.

Q. How late do you get mackerel on this shore?—A. The last of November.

Q. Do you do much with fall mackerel here?—A. Well, some falls, and some falls we do nothing.

Q. What do you think of the proposition to license the fishermen as well as the canner?—A. I don't know whether that would suit at all, I don't think it.

Q. The idea is that a fisherman carrying a license would feel that he was more or less bound to live up to the law?—A. Well, I don't know.

Q. And that he would be more likely to inform on other fishermen who did not observe the law and make it hot for them?—A. And perhaps he would be one of the worst himself.

Q. Who fixes the price paid for lobsters?—A. I suppose it is the packers, we have got to go by them.

Q. You have got to take what they offer?—A. We have got to take what they offer or else take nothing.

SESSIONAL PAPER No. 22a

Q. Is there any other fishery going on at that time that you can fall back on?—A. Well, during the month of June of course we are looking out for mackerel, spring mackerel, with our nets, and haddock and codfish.

Q. Then you are not absolutely on your beam ends, if you do not fish lobsters you can devote yourself to something else?—A. Sure, and there is lots on land we can do something at if we are not at the lobster fishing in the spring.

Q. Is it safe to say that the fishermen here are not entirely dependent on the lobster fishery?—A. Of course they are not.

Q. We hear at a great many places that if they did not have the lobster fishery they would be done and would have to leave the country?—A. They are all right. As long as they are fishing they are eating. After they are done fishing they are done eating. They don't look at that.

Q. What has been your practice with regard to the berried lobster?—A. I generally save them here and when the smack man comes along he weighs them and chucks them over so that the fisherman loses nothing.

Q. Who is supposed to pay for them, the canner?—A. He is supposed to pay for them.

Q. I suppose you see that he does?—A. Yes, and he has got a full right to pay for them too.

Q. Do you think we can say as a general rule that you find more spawn lobsters towards the end of the season and close inshore than you do outside?—A. Yes, sir.

Q. Of course there are exceptions, I suppose?—A. Yes, sir.

Q. And there are new fish, they are not the same every year?—A. No, they are not the same every year sure.

Q. Out of every hundred fish you catch how many would be under the 8 inch limit?—A. Well I could not rightly give you that because I never bothered much with it you see.

Q. Would it be a large proportion?—A. I don't think it would be large.

Q. How does the season as it exists now from the 1st of April to the end of June suit your locality?—A. Well it is this way: In April we do nothing at all. Not one half of the men have got five traps out then.

Q. So you have only two months fishing?—A. We have only two months fishing. We exclude April. That month is a loss and we don't make a dollar.

Q. You might just as well begin on the 1st of May?—A. Better.

Q. Would you change those dates in any way at all if the matter were left to you?—A. If the matter was left to me I will tell you what I would do: I would take one month in the spring, and then I would put the two months in the fall.

Q. What two months in the fall?—A. September and October. You take it in July and August and the lobsters you get then have berries on them, but if you commence to fish the 1st of September you won't get one. According as they shed their shell they do not destroy any lobsters.

Q. And after they have shed their shell do they soon fatten up again?—A. Certainly. After a week they are all right to catch.

Q. The shell begins to harden up very quickly?—A. Yes, after three or four days it is very hard.

Q. I suppose after they have shed their shell they have always grown a little?—A. Yes, certainly.

Q. On the greater part of the coast it would not be possible to fish in the fall would it?—A. I don't know. I don't see what is the difference. We have just as rough weather in the spring as in the fall and more so.

Q. In some places they complain they cannot fish in the fall owing to the prevalence of westerly and northwesterly winds, they are more heavy then?—A. That may be too.

Q. Where are you fishing, how would it do?—A. Where we are fishing it would suit us all right.

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Q. You are sheltered in that kind of weather?—A. Yes, certainly.

Q. Are the fishermen generally satisfied with the price they get?—A. Well, they have to be satisfied. What are they to do, eh? They cannot ship their lobsters.

Q. Why can they not ship their lobsters?—A. Where are they going to ship them from?

Q. You mean to say that the facilities do not exist generally for carrying it on?—A. No of course not, we have no chance here to ship live lobsters.

Q. Where they have a chance to ship lobsters do you think there is more money in it than in the canning?—A. I suppose there is. There should be.

Q. I think that is the experience in western Nova Scotia. Did you ever fish down there at all?—A. No, I never did.

Q. What do you think is the best way to protect the berried lobster; there is no doubt I suppose that she should be protected?—A. So she should be, mister, and not only now but it should have been years ago.

Q. They are only now waking up to the necessity of preserving the berried lobster?—A. To open their eyes. Blest if I know which way to protect her.

Q. Some people have told us that if we could get the fishermen to meet and explain to them the great harm that we are doing, that perhaps they would change their ways and would decide to save the berried lobster in future?—A. Yes, they would change their ways a h—— of a lot. One might and ten won't.

Q. And I suppose one does not care about throwing the berried lobsters away because he thinks another would gather them up and sell them?—A. That is how it is you see.

Q. What do you think about hatcheries?—A. Well, mister, I don't think they are a bit of good on the coast here because I don't believe they ever sowed the young lobsters here.

Q. Were they over here from the hatchery distributing lobsters this year for the first time?—A. Yes, we hear a lot of things but is it true?

Q. They brought young lobsters over here?—A. They might have said they brought them over but where did they sow them? That is hard for a man to find out.

Q. Supposing you had a hatchery on this shore are there berries enough to be found over here to keep the hatchery going?—A. I suppose with all the fishermen there would be.

Q. What do you think of the other alternative, of saving the berried lobsters and putting them in small pounds? Of course it is not everywhere you can establish a pound. You must have salt water and a chance to fence it in. There must be suitable places on a coast cut up like this?—A. There are some places certainly.

Q. The berried lobsters must be brought to the pounds and the conditions there should be as nearly natural as possible and the lobster permitted to hatch out, herself; do you think that would be as good a way as any other?—A. I don't know but what it would be.

Q. How would it affect you if the fishermen and canners were not allowed to take any lobsters under 8 inches, but every effort made to save all the berried lobsters?—A. I don't know, it might suit some and it might not suit others.

Q. How would it suit you?—A. A great many times I have put 8-inch lobsters in too.

Q. An 8-inch lobster you are allowed to put in. Do you think there is any combination on the part of the packers to keep down the price?—A. It looks a good deal like it.

Q. Do you know of any instance where a fisherman has lost his catch of lobsters by the packers refusing to accept them, that is when the lobsters were in good order?—A. No, sir.

Q. Do you know of any instance where a packer has closed his cannery with a view of preventing the fishermen finding any market for their lobsters?—A. No, I never did.

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Q. Do you think that inshore fishing in bays and lagoons, and similar places where the lobsters seem to go in to spawn, should be closed to fishing and that it should be allowed only in the larger bays in the open sea?—A. I don't think there is any use of that, because some people have to set in those places, they have no other place to set.

Q. What do you think of doing away with the size limit altogether; it has never been strictly enforced and it is hard to enforce, is it not?—A. I suppose it never was enforced.

Q. What would you think of abolishing the size limit and shortening the season?—A. What is the idea of shortening the season?

Q. Because if we let you take the small lobsters we suppose you will make a larger catch and in return for that there should be some further limitation of the time?—A. Do you not suppose the season is short enough already?

Q. The proposition is to shorten the season by ten days, or something like that, to make up for abolishing the size limit?—A. Ten days would not make a h—— of a lot of difference to us fellows because we lose ten times ten.

Q. Which of the propositions advanced do you think the most feasible and the most reasonable, to close down the fishery altogether, to stop fishing by sections—A. I am only one man, I am not all hands.

Q. It is the opinion of one man here and one man there by which we hope to get the necessary information. We want to save the lobster and we want to do it in a way that will be the least hurtful to the business and the industry?—A. Well, that is the only thing that I can see, give them one month in the spring and two months in the fall.

Q. You would not meddle with the spawning season of the lobsters at all?—A. No, sir.

Q. And you would not catch many spawn lobsters?—A. No, sir, you would not catch a dozen spawn lobsters the whole season and you would get better lobsters.

Q. Do you think it takes more lobsters in the fall than in the spring to fill a pound tin?—A. No, sir, not as many.

Q. Some people say it would take thirty per cent more?—A. I would like to see them try it.

Q. Is there anything else you would like to say?—A. No, that is about all I have to say.

Q. We have heard a good deal about the unfairness of having such a very long fishing season to the westward?—A. I don't see that is right. They take about seven months and we have only three. I don't see that is right.

Witness discharged.

The COMMISSIONER.—We have heard the evidence of fishermen and canners. I do not see we are likely to gather much else of value. Other fishermen are present here, and I would like to ask if they concur in the testimony which has been presented by their colleagues.

A VOICE.—Yes, it is all right.

The COMMISSIONER.—Very good then, I think we will now adjourn this sitting.

The Commission adjourned.

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L'ARDOISE, August 18, 1909.

ALEXANDER MONBOURQUETTE, fisherman, L'Ardoise, called and sworn:—

By the Commissioner:

Q. What sort of fishing are you engaged in just now?—A. Mackerel fishing.

Q. And after that?—A. And codfish after that.

Q. You engage in deep sea fishing?—A. Yes.

Q. How long did you fish lobsters, and when?—A. I fished lobsters with my father. When I first remember fishing lobsters I was about 15.

Q. How was lobster fishing then?—A. They were plentiful. The price was low but there were plenty of lobsters.

Q. More than there are now?—A. Yes.

Q. What is the difference between then and now, would you say?—A. Well, for a hundred in those days you would not get twenty now.

Q. Were the lobsters very much larger then than they are now?—A. No, sir, not a bit larger.

Q. Are they good large lobsters now or were they always small?—A. I have not seen them for a couple of years but when I did see them they were a pretty good sized lobster.

Q. How many traps used you to fish when you were catching lobsters?—A. About 20 and 40 traps.

Q. Did you not fish more than 40 traps?—A. No.

Q. Single traps or trawls?—A. On trawls.

Q. How do they fish now?—A. Single traps.

Q. What sort of a trap did you fish in the old days?—A. The plain trap with a head in each end.

Q. What distance did you used to leave between the slats then?—A. They used leave the width of a lath.

Q. Do they leave the same width now?—A. Yes, sir.

Q. There were no parlour traps in your days?—A. Not in those days.

Q. You fished with your father for how many years?—A. For about 12 years, I fished with my father, and then I fished about two for myself.

Q. And then what happened?—A. At the last the season was too short here. The time to start here was the 1st of April, but we could not set any traps before the last of April, and then we only had May, and when June would come in there was so much bait around the shore it was no use to set the traps because it did not pay to fish.

Q. And you gave it up?—A. Gave it up altogether.

Q. And you went to what?—A. Mackerel fishing.

Q. Have you found out since that there is more money in fishing for mackerel than in lobster fishing?—A. Yes, sir.

Q. It has paid you better?—A. Yes, sir.

Q. Supposing there were no lobster fishing at all would the fishermen have other fisheries to turn to, do you think?—A. I suppose some poor men, it would be pretty hard for them if they had to turn around and prepare themselves for mackerel fishing, it would cost a great lot.

Q. That is, cost a lot to outfit?—A. Yes.

Q. Do the men own their own boats and gear?—A. They own everything themselves.

Q. Do those fishing lobsters go in for any other fishing or are they farmers?—A. Some of them only fish lobsters in the spring.

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Q. And do not do any other fishing?—A. No, sir.

Q. Is there any station of the Fishermen's Union here?—A. No, sir.

Q. In what depth of water do you commence to fish in?—A. Eight fathoms.

Q. What depth of water do they fish now?—A. They go out to 15 fathoms.

Q. How far will that take them?—A. About three miles.

Q. What sort of bottom did you have when you were fishing?—A. Rocky bottom.

Q. And reefs?—A. Yes. In some places there is mud, but we don't set traps on that.

Q. Can you give me any idea of the price you used to get for lobsters in the old days?—A. Yes, I remember getting 60 cents a hundred when I began.

Q. And what did you get when you knocked off?—A. \$3.50 a hundred pounds when I knocked off.

Q. How did the change from count to weight come to be made, were not the lobsters getting too small?—A. Perhaps that was the reason, I could not tell you anything about that.

Q. It must have been; it was not profitable to pay them by the hundred and they took to paying by weight?—A. By weight.

Q. What is the best time in your fishing here; you only begin to fish about the 1st of May, and you fish up to the 30th of June?—A. I suppose they do not go to the last of June here at all.

Q. Yes, 1st of April to the 30th of June?—A. They don't go to the last of June, they always knock off some time in that month.

Q. And begin to fit out for other fishing?—A. Yes.

Q. When does mackerel fishing begin?—A. It begins about the last of May.

Q. Do you know what the regulations were when you began to fish?—A. They would not take any spawn lobsters in those days or any small ones.

Q. How long did you fish then?—A. In those days we could fish three months, May, June and July.

Q. Then the law was changed and you had a 9-inch limit I think?—A. Yes, sir. Then the season was made April, May and June.

Q. Could you tell me how many out of every hundred lobsters caught have eggs on them?—A. It is pretty hard to tell.

Q. There is not a very large quantity?—A. No, there is not.

Q. What do you think would be the best time to carry on the lobster fishing here?—A. What I think would be from the 1st of May to the 1st of August.

Q. What time do the eggs of the lobster hatch out?—A. It must be in August because that is the time you will get those soft shell lobsters.

Q. That is the time they cast their shell, but I think they spawn a little before that do they not?—A. Yes, but you get the spawn lobsters at any time, I think you will get them in March.

Q. Is there any particular period when you will get more than at other times?—A. I don't know about that.

Q. You say you did not bring in any small or berried lobsters when you were fishing; were they very strict about the regulations then?—A. Yes, they were pretty strict, you had to chuck the small ones overboard.

Q. And were the berried lobsters chucked overboard?—A. Sometimes they were, and sometimes they washed them off.

Q. The same thing that you used to do in those days is done to-day is it not?—A. I suppose so.

Q. You understand it is wrong to destroy the berried lobster?—A. Yes.

Q. What do you think is the best way to save them?—A. I suppose if they were all saved and put in a place where they could live. You could save them like that.

Q. What sort of a place would you put them in?—A. I suppose it would be a salt water place somewhere.

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Q. You think that is the best way to care for them?—A. I should think they would be all right like that.

Q. You would get the fishermen to bring them in and then save them?—A. Yes, sir.

Q. Is there any way to get the fishermen to throw them overboard?—A. I suppose if you paid them what the lobsters are worth they would put them back.

Q. How many times would you have to pay for them; you would get those lobsters back again to-morrow would you not?—A. Yes.

Q. Or would you put a chalk mark on a particular one and say he is already paid for?—A. I suppose if the fisherman was to get fifteen in a day and chuck them overboard he would want a little for them.

Q. Do you think the fishermen would get them at the rate of fifteen a day?—A. Not in those days I speak of.

Q. Do the fishermen not understand that these lobsters ought to be saved?—A. Yes.

Q. That it is in their interest to do that?—A. Yes, I suppose so.

Q. Well, then why does he want to get paid for them?—A. You mean when he chucks them overboard again?

Q. Yes. Even if every fisherman did it the percentage of berried lobsters per hundred is very small. There are very few fishermen that get anything like fifteen in a day. As early as you remember the practice of stripping eggs was carried on, that has always been done?—A. Yes.

Q. How is the price paid for lobsters to the fishermen arranged?—A. The canner, or whoever starts the factory, fixes the price and you have got to come to it.

Q. Do the cannery all have the same price?—A. Sometimes one will go a little better.

Q. So that you have some competition in the matter?—A. Yes, sir, sometimes.

Q. That is your experience, you will find one canner will give you a little more than another?—A. This year I don't know anything about it.

Q. Were there more factories formerly than now?—A. Yes, sir.

Q. How was it they came to close up?—A. I don't know I am sure.

Q. At any rate they went out of business and gave it up?—A. Yes.

Q. Have you had any experience in shipping live lobsters?—A. No, sir.

Q. Are any live lobsters shipped from here?—A. There were a couple of years ago from L'Ardoise.

Q. You don't know how it turned out?—A. No.

Q. Are there any live lobsters shipped from here now?—A. No, sir.

Q. You do not think there is any regular understanding or combination on the part of the packers to keep the price down, there was some competition when you were connected with the industry?—A. I don't think there was. Whatever the one gave the other was satisfied to give. One packer might give ten cents more than another and perhaps the other fellow would come up to his price.

Q. Did you ever fish for lobsters in the fall?—A. No.

Q. Would it be possible to fish here in the fall or is the weather too rough?—A. It is pretty rough sometimes. But sometimes the month of September is just as good as the month of May.

Witness discharged.

FRANK D. PATÉ, fisherman, L'Ardoise, called and sworn:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. I was fishing lobsters for thirteen years.

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Q. You began with your father when you were a small boy?—A. Yes, sir, and they were more plentiful than they are now.

Q. When did you knock off fishing?—A. I knocked off nine years ago.

Q. Since that time have you fished any lobsters?—A. No, sir.

Q. What was your reason for knocking off?—A. Well, I saw that the lobsters were getting scarce and I could not get any man to fish with and could not fish alone, so I turned to mackerel fishing.

Q. And cod fishing also?—A. Yes, sir.

Q. And are you satisfied with the change?—A. Of course I have got to put up with it.

Q. Do you think you have done better since you gave up lobster fishing?—A. Well, no, not where I am for I could not start at the time they start now.

Q. Do you mean to say that the season as it is now does not suit?—A. No, it does not suit me at all.

Q. When you fished what was the season?—A. It was from the 1st of May to the last of July, and sometimes the packer would ask for an extension to the 15th of August. Some years he got it and other years he did not get it.

Q. Was that the principal reason for your giving up, because you considered the season too short?—A. Yes, sir.

Q. What are most of the men who fish lobsters now, are they regular fishermen who fish all the year round?—A. Well certainly, they have gear to fish the whole season, but when they lose their gear in April they have got to give up and go into something else. That was done in our cove this year, and last year, and the year before.

Q. What was done?—A. Losing our gear in April.

Q. It was carried away by the ice?—A. Yes, and by bad weather. It is not every year we get ice here.

Q. Would you consider the month of April is of any use to you as a fishing month for lobsters?—A. I don't think it is good for them up in the bay. But it is not any trouble, they are in a pond. The bait is the worst thing down here.

Q. You cannot get bait here?—A. It is no use for us to try when people from the westward are three or four miles ahead of us.

Q. What bait do you use?—A. Herring.

Q. Herring in the spring; you cannot get bait at that season?—A. No, sir.

Q. What depth of water did you use to fish in?—A. The deepest was 12 fathoms.

Q. What number of traps did you fish?—A. Sometimes 160, sometimes 175. The last year I fished I had 160.

Q. How did you do with that number of traps?—A. I did not do very bad.

Q. Could you give me any idea how many thousand pounds you took?—A. No. Of course, the packer told me how much I had caught but I cannot keep it in my mind.

Q. How did you sell your fish?—A. By weight.

Q. Did you always sell by weight?—A. No, sir. At one time the price was 60 cents per hundred lobsters.

Q. And then they changed it to the hundred weight?—A. Yes.

Q. What brought about the change?—A. It was the packers that did that.

Q. And when payment came by weight what did you get?—A. We got as high as \$4.50.

Q. And did you bring into the packer everything you caught, big and little?—A. Certainly, I did not like to lose any, I brought all I could get.

Q. Did you fish more gear, when you knocked off, to get the same quantity of fish that you had in the beginning?—A. I had to get more traps. Before that they were plentiful.

Q. Was there much difference in size, did they get smaller too?—A. Yes, sir, they did.

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Q. Do you remember at all how many berried lobsters you used to see out of every hundred fish you caught?—A. No, sir.

Q. Or how many lobsters it took to fill a pound tin?—A. No, sir.

Q. What is your opinion as to the best way to save the berried lobster; you understand—I think all the fishermen understand—that that lobster should be saved?—A. Oh certainly, but we have no place to put them in. Mr. Baker on the south side had a place to put them perhaps.

Q. You were too far away?—Yes, sir. I fished there two or three summers.

Q. Then you know all about a pound?—A. Yes, sir.

Q. When did Mr. Baker begin to establish his pound?—A. Two or three years before I got there, that was ten or eleven years ago.

Q. Have you any idea how it worked out, did you ever see the lobsters in it?—A. No, sir, he would not allow any man there but the one who had charge of it.

Q. What was he afraid of?—A. I don't know.

Q. Was he afraid you would put your traps in there?—A. Perhaps so.

Q. Is that your idea of the best way to save the berried lobster: Put her in a pound?—A. Where they can be put in pounds and the small ones allowed to grow, because I know if they go into the big boiler they won't grow; they will be cooked.

Q. Do you think the same practice goes on still; do the berried and small lobsters still go into the pot?—A. Yes, certainly.

Q. Have you any idea at what particular part of the season you see the most berried lobsters?—A. It is in August.

Q. Of berried lobsters, how many do you see per hundred?—A. It is hard to tell; I could not remember.

Q. Was it the practice when you were fishing to wash the eggs off from the berried lobsters?—A. We never looked at them.

Q. You brought them in as they were?—A. Yes, sir.

Q. Were there may more canneries around the coast in those days than there are to-day?—A. Yes, sir. There was only one factory this year.

Q. What were you paid for lobsters then?—A. 60 cents a hundred lobsters.

Q. And that price changed after awhile?—A. It was changed to \$1.10, and we had an increase every year.

Q. And the packer commenced to pay for them by weight, not by count?—A. Yes, they changed it.

Q. When you got \$1.10 what was it for?—A. By the hundred from Mr. Neville.

Q. Did you sell any lobsters for the live lobster trade?—A. Yes, sir, one summer. Mr. Mills was buying them at 9 inches and up.

Q. And you sold live lobsters to him?—A. Yes.

Q. What price did you get in that instance?—A. \$5.50 per hundred weight.

Q. That was more than you got from the canner?—A. Yes.

Q. Were you required to have them in better order than when you brought them to the cannery?—A. No.

Q. You simply got live lobsters for him?—A. Yes, sir.

Q. With the understanding that they must be all over 9 inches?—A. Yes, sir.

Q. Is that business going on yet?—A. I don't think so; not since I left fishing.

Q. Do you ever hear how the business turned out?—A. No. I don't know that there is anybody doing it since then.

Q. How did the buyer ship them off?—A. He shipped them up the Strait to Mulgrave.

Q. Do you think there is any competition in the matter of price; if one canner does not give you what is satisfactory can you go to another?—A. Certainly.

Q. A man is the master of his own lobsters; there is no hard and fast arrangement among the canners by which they are bound to the one price?—A. There was one year Mr. Dixon was getting all, so Mr. Mills put the price 25 cents over that.

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Q. So there was some competition and Mr. Dixon had to come up to the 25 cents?
—A. Certainly he had to.

Q. Has that happened often?—A. It happened here for a few years.

Q. What sort of a trap did you use when you began to fish first?—A. The big traps, four feet long.

Q. With an opening at each end?—A. Yes, sir.

Q. What distance did you allow between the slats?—A. An inch.

Q. The width of a slat?—A. That is what we were giving, the width of one lath.

Q. Is not that more than an inch?—A. We used not to take the widest one because we would lose too many small lobsters.

Q. If we insisted upon the space of an inch between the slats would that allow the small lobsters to escape?—A. No, sir, he would not go through, not through an inch.

Q. They tell us in many places that many big lobsters will go through an inch; what has been your experience?—A. It is a small lobster that goes through an inch. It is all right in the head of the trap when you stretch the twine, but not between two pieces of wood. Two pieces of wood are not going to stretch.

Q. If we insisted upon the space of an inch between the slats would it allow a certain proportion of the very small lobsters to escape; do you not think a four or five-inch lobster would get through that space?—A. Oh, yes.

Q. In many places they are canning lobsters four or five inches long?—A. We don't do it down here. A lobster four or five inches is a very small one. I got one of three inches, and Mr. Baker told me that if I could catch three at that size he would pay me well for them.

Q. Do you think fall fishing could be carried on here, that is in September and October?—A. I don't know about October. September is a pretty good month.

Witness discharged.

ELIAS PATÉ, fisherman, Chapel Cove, called and sworn:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. About 26 years.

Q. How many canneries were there here when you began?—A. Only two factories in this place.

Q. What was the largest number you have ever had here?—A. Three.

Q. How many cannerys are there now?—A. Only one this year on this side of Point Michaud.

Q. When you began to fish 26 years ago what kind of a trap did you use?—A. The big traps, all the length of the lath.

Q. And a hoop in each end?—A. Yes, sir.

Q. What space used you to leave between the slats of the trap?—A. Between the two laths? Just about an inch or a little over.

Q. How did you measure it, with a lath?—A. With a lath.

Q. How many of those traps did you use to fish?—A. We used to fish 25, sometimes 50.

Q. Was that the means you used when you began?—A. Yes, sir.

Q. Did you fish them on a single line or a trawl?—A. On a trawl the first going off.

Q. How was the fishing then?—A. Good fishing the first year.

Q. What was the best you ever did in any one season, do you remember?—A. Well, I remember the first year I had 25 traps I made, I think, it was \$35. I made that with the lobsters.

Q. You cleared that much?—A. No, that was with the expenses.

Q. That was not very big fishing?—A. No.

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Q. What was the best you ever did in one year?—A. I cannot tell you the best. I never kept a book, but with some 40 to 50 traps the best was about \$50.

Q. You never cleared more than \$50?—A. No.

Q. That was for fishing how long?—A. All the season sometimes. I never fished all along. Sometimes of course we tried to fish for other kinds of fish.

Q. You were fishing mackerel and cod at the same time?—A. Exactly at the same time.

Q. Where the lobsters then much larger than they are now?—A. At the first going off they were larger, but there were plenty of small ones too.

Q. What did you do with the small lobsters in your case?—A. Some saved them a lot. I saved all I could.

Q. Did the cannery in those days take all you got?—A. I mean at the first going off they were not very small but there were some small even then.

Q. You are still fishing; do you get more small ones than at first?—A. Yes.

Q. You always brought what you caught to the canner and he accepted them?—A. He took them I suppose, I don't know what he did with them.

Q. What did you do with the berried lobster in the old days, was she brought in too?—A. The smacker weighed them and threw them overboard.

Q. Has that always been the practice?—A. They have done it often with me.

Q. Has it been the practice to do it from the beginning, since 26 years ago?—A. No, 26 years ago we brought out lobsters right into the factory.

Q. The lobsters were not smacked then, you had to deliver them?—A. Yes. We had no gear at that time.

Q. How far off shore used you to fish then?—A. At that time? From half a mile I should think.

Q. In what depth of water?—A. We had from 10 fathoms to 8.

Q. And did you fish all the season in the same place?—A. No, we would trap inside later on.

Q. What was the best month of the fishing; in those days you used to fish May, June and July, I suppose?—A. Yes. For my part I used to find May, the last of May, or about the 15th, just as good as any.

Q. And is it the best time yet?—A. I think so. Earlier in the season it is too rough.

Q. What do you think is the best way to try and save the berried lobster; if you had the making of the law for her preservation, what would you do?—A. I would let the lobster go, or put her in some place where you would save her, so that she would not die.

Q. There are plenty of places where we can save them, but in other districts there is no chance; how can we induce the fishermen in those places to put the berried lobster overboard, not wash the eggs off her or bring her in at all?—A. Not to bring her in at all is the best way.

Q. She should be saved without the loss of her eggs?—A. I suppose, or she will soon die.

Q. When?—A. After you take the eggs.

Q. They die then very quickly?—A. Yes, sir. If you wash the eggs off the she lobster, she is just as though she had been half a day in the sun.

Q. You have noticed that?—A. I am sure of that. As soon as you wash the eggs, they are gone. It is true always. I am not here to tell you any lies, but what I know.

Q. Have you always fished your own traps and your own boat?—A. Yes, always.

Q. What price used you to get for your lobsters when you began fishing?—A. At that time I had 80 cents a hundred lobsters.

Q. How long did that last?—A. It lasted for a few years. Then they began to have more factories and later on we had \$1.50. The price came to \$1.25 and \$1.50 and so on.

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Q. After a time they began to take the lobsters by weight instead of count?—
A. Yes.

Q. Have they been taking them by weight many years now?—A. Not very many.

Q. When they began to do that, what price did they give you?—A. They gave us \$2.50 or \$2.25 I think at the first go off.

Q. What is the highest price you ever obtained by weight?—A. As high as \$4.

Q. And this summer what did you get?—A. \$2.25.

Q. Who fixes the price?—A. Indeed I cannot tell you. They fix the price themselves I suppose.

Q. Has the fishermen anything to say about it?—A. Not at all.

Q. When you had a lot of canners did some of them give a different price?—
A. Oh, yes, sometimes you know, one might say the lobsters were worth \$3.25. By and by a packer might give \$3.50. Then we told the packer we heard the lobsters were to be \$3.50. I always gave him my lobsters except a few live ones.

Q. You always sent your lobsters to the same smack—A. Except that summer. Mr. Grady used to buy them.

Q. Are you generally satisfied with the price you get?—A. Except this year I find it very low.

Q. Do you know the reason why it is low this year?—A. No, because I have not read anything about it. I suppose it is owing to the market.

Q. Out of every hundred lobsters how many will be females with eggs?—A. Not a great deal where I fish. Sometimes we see one or two, but not very often, because I never fish very far off. As I told you awhile ago half a mile or a mile at least.

Q. Would you expect to get more berried lobsters in deep water than in shoal?—
A. Sometimes you will get more in deep water all right. When it comes later on the lobster crawls ashore and you will find more. But I never fish at that time.

Q. That is after you have done fishing, you think?—A. Yes, perhaps in August.

Q. Is that the time the female lobster hatches her eggs, do you think?—A. I don't know, but they crawl ashore.

Q. Do they go into very shoal water?—A. Yes, right close.

Q. How does the present fishing season from the 1st of April to the 1st July, suit you?—A. The 1st of April does not suit us at all, because we never fish here at that time, it is too early for us. This year it was very late in opening.

Q. You can always fish in May?—A. Always fish in May.

Q. Do you lose many traps here?—A. A good many sometimes.

Q. That is when you put them out early?—A. Yes. Two years ago I lost 30 or 35.

Q. The ice came back on you?—A. Yes, the season is rough you know, sometimes early in April the season is very rough and in May too.

Q. What do you do when you knock off lobster fishing?—A. Fish for codfish and other kinds.

Q. Do you continue right to the end of June with lobster fishing?—A. Oh, yes.

Q. Is it better fishing at that season than with any other branch of the fishery?—
A. Oh, yes, I suppose for those who have the big gear, but for me it is not. I suppose if I had a hundred traps I would get a lot. At that time there is money coming to me because everything is clear.

Q. Do you always get cash for your lobsters?—A. There is no trouble to get cash for our lobsters.

Q. Is it not the same with mackerel and cod?—A. Sometimes not. Sometimes it is hard enough to get the money. I saved a few barrels of mackerel and it was very late when I got the money. I had to go and look for it in Halifax. This year it is all right, there was no complaint.

Q. Do you think the fishermen could make more money if they were allowed to can for themselves?—A. I think so. They have made more money at some other places.

Q. It needs some experience to carry on canning successfully?—A. Yes, but they could find some man of experience.

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Q. Do you think the present regulation keeping down the number of licenses is a good one, or should every man that applies for a license to can lobsters be given one?—A. I have no idea as to that at all.

Q. You have had no ambition yourself to can?—A. No.

Q. Did you ever sell any fish for the live lobster trade?—A. No.

Q. You have always sold to the canner?—A. Yes.

Q. Have you any idea which is the best market for the fishermen to sell his lobsters in, the live export trade or the canning?—A. They used to give a big price for them.

Q. Yes, but they want large lobsters?—A. Yes, nine inches and up.

Q. Is there anything you would like to say of your own accord?—A. No, there may be other fishermen here who have had more experience than I have had.

By Mr. Kyte, M.P.:

Q. I think you said you sold some live lobsters one year that were shipped alive?—A. No, I sold some to Martin.

Q. They were all large lobsters, were they?—A. Yes, good sized lobsters I sold to Martin.

Q. Were they to be shipped alive?—A. Oh, yes, I suppose they would be shipped.

Q. What did you get for those large lobsters do you remember?—A. I don't remember. It was the same price.

By the Commissioner:

Q. Is there any fishing after the season is over; when 30th June arrives, does everybody knock off?—A. Yes, around here.

Q. There is no more canning after that?—A. No, sir.

Witness discharged.

ISIDORE PATÉ, fisherman, L'Ardoise West, called and sworn:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. I have been fishing about ten years I suppose. I have been fishing before, but that is since I have been fishing right along.

Q. How far back did you begin?—A. I suppose twenty years ago.

Q. You did not fish steady?—A. Oh, no. There was about sixteen years I did not fish at all. I have been on the Banks.

Q. For the last ten years you have been fishing lobsters steady?—A. Yes, sir.

Q. Do you fish right off here?—A. Yes, sir.

Q. Into what depth of water do you go?—A. Sometimes 14 fathoms, 12 fathoms and 8 fathoms.

Q. How far off shore does that take you?—A. I suppose it takes me about three and a half miles.

Q. Do you always fish all the season in the same water?—A. Well, sometimes we take them in nearer the shore.

Q. When do you take them in there?—A. About the 15th of June.

Q. What number of traps do you fish?—A. Well, I used to fish 90 and 80. This year I had only about 35.

Q. You fish them on single lines, not on trawls?—A. No, sir, single traps.

Q. Did you always fish in the same way?—A. Well, yes, since ten years. Before that we used to fish them with trawls.

Q. Why did you give up fishing with trawls?—A. We got more lobsters.

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Q. More lobsters with single traps?—A. Yes, sir. A man will have a chance to change them often.

Q. Without changing the whole trawl?—A. Yes.

Q. Are there many other fishermen fishing lobsters where you fish?—A. Most everybody there fishes lobsters.

Q. How many boats are there?—A. About ten boats just in the cove where I live.

Q. To what canner do you take them?—A. To Mr. Dixon. I have been selling some to Mr. Mills, but he is gone now.

Q. And the factory is closed?—A. Yes.

Q. That is the reason you always sell to Mr. Dixon?—A. Yes.

Q. In what time of the season do you get the most fish?—A. In May.

Q. Are the lobsters a better run of fish in May than in June?—A. Oh, I don't know. Most of the time it is the same. We will get large lobsters all the time at the first going off and then they will get smaller.

Q. You seem to catch off the big ones?—A. I don't know what is the reason of that. The big ones might get wiser and keep away from the traps, that is all I can say about that.

Q. What style of trap do you fish?—A. Parlour traps they call them.

Q. What is the advantage of the parlour trap over the other style?—A. All I can say is that if the parlour traps are two or three nights without being overhauled, the lobsters will remain.

Q. Do you put the slats in the trap closer together now than when you began to fish?—A. About the same.

Q. How far apart are they?—A. About an inch and a half or two inches, about the size of the laths. It takes about an inch and a half.

Q. That is the gauge used?—A. Yes.

Q. Is there any station of the Fishermen's Union here?—A. Not that I know of.

Q. What has been the practice, within your experience, have you taken to the cannery everything you caught?—A. Yes.

Q. Big and little?—A. Well not in the first going off. When they are too small we chuck them away. When they are spawn lobsters we are not allowed to take them, but I would like to get paid for them just the same. Whatever I catch first I would like to get paid for them. I don't like to save it because it destroys the fish.

Q. How do you deliver your fish to the smack?—A. Sometimes the smack man comes to our cove.

Q. You do not bring the lobsters to the factory yourself?—A. Once in a while if I need to go I will take them down, but generally the smacker comes to our cove.

Q. During the fishing season what number of lobsters do you catch in a day?—A. It is according to the number of traps you have. If you have a big lot of traps you will catch about 200 lobsters.

Q. Well speaking of your own output?—A. I used to get 70 or 80 lobsters this spring, sometimes 100. It was when the fishing was good and the weather was fine.

Q. Have you any idea what 100 of your lobsters will weigh?—A. Some will weigh 100 or 110 pounds.

Q. That is per hundred lobsters?—A. Yes. That is as near as I can go.

Q. You own your own boat and gear; all the fishermen do about here?—A. Yes, sir.

Q. Do you think there is anything to be gained by having the slats of the traps a good distance apart; will some of the small lobsters escape?—A. I suppose they will if the laths are two inches apart.

Q. That will let a very big lobster out?—A. The small ones will get away sure. At the first going off I did not know much about fishing lobsters but we used to put the laths pretty near two inches, about an inch and a half. Now it is an inch and a half. Sometimes they put them closer for all I know but that is the general size.

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Q. What is the size of the hoop at the end?—A. Just about four feet long.

Q. That is the trap?—A. No the length of the hoop around.

Q. I meant the little ring in the end?—A. 6 inches, sometimes 5 inches, according to how people like to put it.

Q. What is the size of the mesh?—A. A 3 inch mesh, that is about the size right along.

Q. That is extension measure?—A. Yes. When they open it that way (illustrating by a gesture) it is about 3 inches.

Q. At what time of the season do you see most of the berried lobsters?—A. When I see them most it is coming on the last of June, in June some time. In August you may find an odd one but not often.

Q. You say not often?—A. Not often you will find them with the spawn on.

Q. How many would there be out of every hundred lobsters?—A. I suppose you will catch two, three or four hundred before you will find one. This summer I only found one with the spawn on.

Q. Are the spawn lobsters a good size generally?—A. Yes, they are a good size.

Q. You have never seen any small ones with eggs?—A. No, sir, I have never seen any small ones with eggs, not less than 9 inches.

Q. Do you think the present season, from the 1st of April to the last of June, is about right?—A. I would not favour it myself because in April the weather is very rough and we have not got much time to fish in that month. Sometimes it is too rough and the ice is around. A man loses his gear and the bait is scarce. A man has got to look around for bait.

Q. The herring has not struck in then?—A. If a man could get his bait inshore in May. April is a poor month for fishing. I would not favour that month at all speaking for myself.

Q. Do you think closing at the end of June is about right?—A. Yes, June is all right.

Q. Would you favour a date later than June?—A. Well if we could, because we might get a fortnight then, or a month, when we have the time when we might gather up a few dollars.

Q. Are there not other fisheries?—A. Yes, but the mackerel come in June. When a man has time he overhauls his traps. Then there are the mackerel nets to look after. If there are two men one man will stay ashore and the other man overhauls the traps. When it is fine that is the way they generally do.

Q. Has the practice of rubbing the eggs off the female lobster ever been followed here?—A. Not that I know of.

Q. How do you arrange about the matter of the price, who fixes that?—A. It is always the packer as far as I know. The packer always makes his own price and we have got to abide by it.

Q. You have nothing to say as to that?—A. What can we do? We have to obey orders.

Q. Have you ever found one packer give a little more than another?—A. Sometimes they go around when they want to get the lobsters.

Q. When they want them very badly they will give a little more money?—A. Sure, but it comes to the same thing because when it is found out the other packer will come up too.

Q. Well there is a little competition then?—A. Yes.

Q. Do you think it will be possible to get the fishermen to put all the berried lobsters back into the water?—A. Well it would be better because otherwise it destroys the fish of course.

Q. How can we get the fishermen to do that?—A. When they get them I suppose to let them go as quickly as they can without taking them into the boat.

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Q. How can you make them do that?—A. It is more than I know. I suppose if they found there was a fine, but sometimes I suppose they are taken in ashore. I have not seen any, to tell you the truth, taken to the factory since eight or ten years.

Q. Does the smack man throw them overboard?—A. I suppose so.

Q. Have you ever seen a smack man pick them out and throw them over?—A. Yes, sir, I saw that this summer. The lobsters were right alive when he put them over.

Q. Do the fishermen get paid for those lobsters?—A. Not at the last. If he did it is at the first.

Q. How can we save the berried lobsters and put them in pounds?—A. I don't know. As to a hatchery I never was around one. I suppose if it was fixed up in a way they could do it just as well as they do it in Gloucester. I hear often they have a hatchery there for codfish. I suppose they could do the same thing for lobsters if the hatchery was rigged for it.

Q. Is there not a hatchery at Canso?—A. Not that I know of.

Q. There is one at Canso and one at Caribou?—A. I heard there was one at L'Archeveque, but I never saw it.

Q. As to the matter of licenses to canners, do you think it is right to keep down the number of canneries?—A. I suppose it would be.

Q. Do you think it would be bad to have too many canneries?—A. Well, I don't know. I suppose the more there are around, the more money you will get, because they will be opposing one another, and we might get a chance to sell our lobsters at a high price. If there is only one he will do as he pleases.

Q. Do you think the fisherman would make more money if allowed to can for himself?—A. That is more than I can say. He might make more money and he might not.

Q. There is some risk of course?—A. It is according to what chance a man might get. If he would get a good packer to buy his lobsters he might do well, but you are not sure of that.

Q. It is like any other business, I suppose; it needs some experience?—A. Yes.

Q. It has been proposed by some people to make the fisherman take out a license to fish for lobsters, the idea being that he would then be more careful about observing the law?—A. I wonder if a man would get more for his lobsters then?

Q. Do you think that if we do not use the small and the seed lobsters, in a very few years the fishermen would get bigger lobsters?—A. I don't know as to that. I would like to know how long it takes the lobster to grow in the run of a year.

Q. Two inches?—A. It would take four years for the lobster to reach 8 inches.

Q. It must be wrong to destroy the small lobsters and it brings no profit to the fishermen?—A. No. The fishermen generally when he gets the codfish saves everything and herring the same, and whenever he notices an illegal lobster he tries to save it because that is all he is going to get for his summer's work, whatever he catches. I don't know but that in the run of a good many years we could save by it. It does not take a very big lobster to reach 8 inches in size.

Q. Do you think the lobsters are running smaller now than they were when you began to fish?—A. Yes, they are. A good many years ago they were all large. I suppose the small ones then had no chance to get into the trap.

Q. Do you think the big ones drive the small ones out of the trap?—A. I don't know about that. If there is a big one in the trap I don't suppose the small one has a chance to get near the bait. I cannot tell what the fish are doing on the bottom.

Q. Is there any chance here to fish in the fall?—A. Yes. I suppose September is a good month for fishing in the fall.

Q. In some places they have asked to have fall fishing?—A. It would be pretty good here, too. In 12 or 15 fathoms of water a man would get some money to make

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up for his taxes or rates. Sometimes that is the way they would get it; they can't raise money in any other way.

Is there any fishing done in the fall at present?—A. Not lobster fishing, not around here.

Q. Did you ever have anything to do with the exportation of live lobsters?—A. No, sir.

Q. You have never shipped any yourself?—A. No.

Q. Where that is possible have you any idea which is the most profitable for the fisherman, exporting live lobsters or selling them to the canner?—A. It is more than I can say. I know they will get a better price because they will sell large ones with two claws on them.

Q. Have you anything you desire to add to what you have already said?—A. No. I always wished to have the month of July in place of the month of April. The man that is through with his mackerel fishing might get a chance to fish lobsters for a fortnight or so. He has no chance of doing so these years. If he had July fishing he might not do much, but he might pick up a few dollars.

Q. Can you give me any idea what the average earning of a good lobster fisherman would be one year with another?—A. A good fisherman that is only doing that in the run of the season will earn \$150, \$180 or \$200 I suppose if he fished right along. That is if he has got good gear.

Q. Out of that has to come the cost of his gear?—A. I don't know how much he is going to lose in the run of the year, sometimes he loses one-half and more too.

Q. What is the trap worth?—A. I never figured that up.

Q. Do you make it up yourself?—A. Yes, sir. I suppose they are worth pretty well 25 cents apiece.

Q. I think the parlour trap ought to be worth more?—A. When you come to 15 fathoms you have got to pay 14 cents for rope, sometimes 16, and the trap is then worth more than 25 cents. It is according to the depth of water. The parlour trap is worth twice as much.

Q. Do you use the same boat for lobster fishing that you do for other work?—A. Away off shore you might use the same boat, but you have got to get a big boat for codfish and mackerel.

Q. Then you use a smaller boat for lobster fishing?—A. Yes.

Witness discharged.

THOMAS C. GRADY, fisherman, Rockdale, called and sworn:—

By the Commissioner:

Q. How long have you been connected with lobster fishing?—A. I have fished for lobsters about 8 years.

Q. Have you done any other fishing?—A. Yes, sir. These last few years I have fished for mackerel and cod.

Q. How is the run of codfish up here?—A. It is a poor fishing business.

Q. Have you noticed much change in the cod fishery, is it as good as it used to be?—A. I don't see much difference. It is not as good as it used to be, the codfish are scarcer.

Q. Have you fished for lobsters off this part of the coast?—A. Right off my own place.

Q. What number of traps did you fish in your time?—A. Well, I fished as high as 100, from that down to 50. One hundred is the largest number I ever fished, and 50 to 60 the smallest.

Q. When you began fishing first were lobsters more plentiful than when you knocked off?—A. Far more plentiful. They were larger and more plentiful.

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Q. What do you attribute the decrease to?—A. Well, I suppose there are so many fishermen catching them.

Q. They are fished out?—A. They are fished out.

Q. Was that decrease a gradual one do you think?—A. It was a gradual one, they decreased from year to year.

Q. I suppose the fishermen are obliged to fish more gear now to keep up their catch?—A. Far more, and they do not realize as much with the double quantity of gear.

Q. Although the price has risen?—A. Although the price has risen.

Q. What was the price when you began to fish?—A. When I began to fish, as far as I can recollect, it was \$1.50 a hundred, we were getting paid by count. I remember getting as high as \$2 a hundred by count. After that they commenced weighing.

Q. Why did they make that change?—A. I suppose it was on account of—at least some of them told me it was on account of the small lobsters.

Q. The lobsters were running small?—A. The lobsters were running small.

Q. And they were not worth as much for canning purposes?—A. Not worth as much for canning purposes.

Q. Have you any idea how many lobsters it takes to make a pound tin here?—A. Well, I have heard it but it has escaped my memory just now.

Q. What percentage of the lobsters taken in the traps here will be below 8 inches?—A. I should say there would be pretty nearly half of them.

Q. Pretty nearly half would be under the 8-inch limit?—A. I think so.

Q. I suppose the canner is in the habit of taking pretty nearly anything that is brought to him?—A. They did in my time. I have not fished the last two years.

Q. What was the practice up to the time you fished?—A. Up to the time I fished they were taking everything that came along.

Q. Did you give it up because it ceased to be profitable?—A. That was my reason for giving it up.

Q. In your time what was the practice with regard to berried lobsters?—A. Oh, well, they did not make much difference. A couple of the last years I fished they objected to take them. I fished for Mr. Leviscompte. I think he had a pound here, in which he used to put the females.

Q. Do you know how that turned out?—A. I could not say. I have been there and looked at it. I only saw a couple of lobsters there.

Q. What was the size of the pound?—A. Well, I could not rightly say, it was large enough.

Q. Was there deep water in it?—A. Yes, I think there was six or seven feet of water where I saw. Probably it was deeper outside.

Q. Had he the pound barred across at the mouth?—A. He had it barred across at the mouth.

Q. With wire netting?—A. Some kind of netting, I could not say whether it was wire or not.

Q. Was it his practice to let the lobsters go at the end of the season?—A. I think so.

Q. Did he put the berried lobsters in there?—A. He put the berried lobsters in there. He did not object to taking them because he put them all in there.

Q. Is that gentleman still running a factory?—A. I think so. I think he was packing this year.

Q. What style of trap did you fish in your time?—A. When I first started I fished the old fashioned trap. I used to cut about a foot off the lath.

Q. Was it a double ended trap?—A. Yes.

Q. How did you gauge your space between the slats?—A. The width of a narrow lath.

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Q. Which was about an inch?—A. A little over an inch I guess, that was at the first of it. After that we commenced to put them closer together.

Q. That was with a view of holding smaller lobsters?—A. Well, it was not altogether that. No. I put them closer together and make our headings smaller. First we used to make the headings large and then we made them smaller.

Q. Have you narrowed down the space between the slats?—A. It must have had the effect of holding the smaller lobsters, yes.

Q. Do you think we could avoid the capture of small lobsters by having the space between the slats of a certain standard width?—A. You could to a certain degree, but there will always be some remaining in the trap.

Q. But do you not think a considerable percentage of small lobsters would escape?—A. I think so.

Q. We find that in a great many places the space between the slats is only half an inch?—A. There is no lobster could get out of an inch space itself.

Q. They tell us they lose all their big lobsters if they leave the slats an inch apart?—A. I never had a lath closer than an inch together and I used to get lobsters I would not carry to the factory.

Q. In your opinion what is the best way to save the berried lobster; there seems to have been a very general destruction of the female with eggs?—A. There has been, I am aware of that.

Q. And there is no doubt taking berried lobsters and the young ones is the cause of the trouble?—A. The cause of the trouble it must be.

Q. What is the best thing for the department to do to counteract that?—A. It would be a very easy matter if everybody was honest. Then it would be done.

Q. One proposition is to prohibit all lobster fishing for a term of years; there is no doubt that would hit the nail on the head?—A. Yes, there is no doubt.

Q. But a great many people would suffer in the meantime?—A. Suffer in the meantime.

Q. Another recommendation is to close down the fishing by sections, but that appears to be regarded by many as impracticable?—A. No, it is not practicable. I think if they close down at all it ought to be general.

Q. In many places you can understand that would cripple a great many people?—A. It would, there is no doubt. I think to have restrictions and continue the fishing would be far better. That is for the inhabitants of those places where they fish lobsters.

Q. The restrictions can only assume certain shapes?—A. There is no doubt of that.

Q. We must try to protect the small lobster, because in some places they are canning lobsters that are only three or four inches long and require 13 or 14 to the pound can; the industry cannot stand that long?—A. I think the average here is 7 lobsters to the pound. That is what I hear. I have never been in the packing business myself.

Q. It takes nine 7-inch lobsters to fill a pound can, that is by actual measurement?—A. I suppose the average would be seven, that is between seven and eight.

Q. Another proposition is to do away with the size limit altogether, it seems a very difficult regulation to enforce?—A. Well, it is.

Q. Here it would not be, because you have got a larger run of lobsters, but in some places it appears to be almost impossible to enforce it. Another proposition is to abolish the size limit, but protect the berried lobster as effectively as possible, either through the medium of pounds or hatcheries, and where that cannot be done educate the fishermen up to the advantage of throwing her overboard?—A. I think that would be the only thing that could be done, because when you come to put the lobsters in your boat you chuck them among a pile of others. The consequence is another lobster may cut the shell of the berried lobster and that berried lobster is going to die. Once the shell is broken she is going to die. Another thing,

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the fishermen are not to provided with pounds and I don't see how they can be established along this rough shore. We have no places where the fishermen can make pounds to put those spawn lobsters in.

Q. I suppose the idea would be for the government to provide the pounds and buy the lobsters from the fishermen; you could not do it?—A. You could do it if the government would buy the lobster and have it chucked over the moment she is taken out of the fisherman's trap.

Q. How are you going to keep any check on the thing?—A. That is the next question.

Q. You would be paying for that lobster a good many times over?—A. Yes.

Q. If the fishermen were all of one mind it would be a simple matter to put the berried lobster back into the water because the percentage of them is not very large?—A. It is not, and I find that outside in deep water you seldom get berried lobsters. Where the berried lobsters are taken is in shore among the rocks.

Q. Late in the season?—A. Late in the season. There is no doubt of it. I have been fishing there myself and that is where I used to get berried lobsters, right among the rocks.

Q. The fishermen will not understand it, but there is no doubt it is in shoal water and late in the season that most of the damage is done?—A. That is where it is done.

Q. If we could cut the fishing off during the last few weeks of the season it would be a better way of protecting the lobsters than by any other method, and yet the fishermen complain the season is too short already. They say: 'Give us a month's more fishing.'—A. The month of April is no good at all.

Q. What is the time, do you think, the lobsters are spawning inshore and want to be protected?—A. If they want to keep alive the fishery, the last of June would be the time for them to knock off fishing and then commence in September again. That would give a fishing season from the 1st of May to the last of June as well as fishing in September.

Q. Would it pay the packer to reopen his factory for a month in the fall after closing down?—A. That is a question I cannot answer.

Q. And there is another question besides and that is the market. They cannot tell what to give for lobsters in the spring if they do not know what is going to happen in the fall.—A. If there is only to be one season the fishermen ought to have a little time in July.

Q. But that is the dangerous time?—A. That is the dangerous time, that is when there is inshore fishing.

Q. As to the matter of price, how does that stand between the fishermen and the packer?—A. That is all left to the packers, they make the price of lobsters. I suppose they go according to the price and the market.

Q. Where there is a number of canners do you think some competition prevails?—A. There has been in my time of fishing.

Q. It is not a hard and fast arrangement then?—A. It is not hard and fast, but I understand this last couple of years there is a combine and they keep the price just to suit themselves I suppose.

Q. As to the live lobster industry, do you think that where it can be established it is the most profitable for the fisherman?—A. Yes, I think so.

Q. Are there any facilities here for carrying it on, you want rapid transportation and quick connection?—A. That is the worst of it, there are none just here.

Q. Has it ever been tried here to any extent?—A. There have been boats running here where the firm have owned the boats themselves.

Q. You mean smacks, collecting lobsters?—A. Smacks, collecting lobsters.

Q. What price did they give for lobsters?—A. I never had any dealings with them. This other man who has sold them would know more about it than I do.

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Q. Have you ever formed any idea of the number of spawn lobsters to every hundred fish?—A. Out in the deep water sometimes out of a couple of hundred you might get one or two and sometimes probably you would not get that number.

Q. How about shoal water?—A. In shoal water they have as high as three in one trap of spawn lobsters. But certainly that would not occur often.

Q. Is there any time of the season when the lobster is not fit for food?—A. Not that I know of.

Q. There is a time when the lobster is soft shelled?—A. There is an odd one soft shelled, they are not all soft shelled at the same time.

Q. Do you think the practice of stripping or washing the eggs from the female lobster is followed here?—A. I could not say whether it is followed now or not, but I know it was when I was fishing.

Q. What is your impression as to the policy of the department in limiting the number of canning licenses?—A. I should judge that the canners themselves would say wherever there was no room it would not be a very paying thing for too many canners to get into a small space.

Q. Do you think the number of canneries should be kept down?—A. I don't see that that would make any difference with the lobsters.

Q. Do you think that if you had more canneries you would have more fishermen and more lobsters would be taken?—A. I do not know.

Q. Do you think that everybody that can fish lobsters is doing it now?—A. I don't know; if there was anything paying in it.

Q. The department's policy has been to restrict the number of canning licenses, except where the fishermen group themselves together and ask to be allowed to can on the co-operative plan; do you think that is a wise policy?—A. I think that is a very wise policy if the fishermen wish to pack their own lobsters.

Q. Do you think the fishermen will make more money in canning, one thing with another?—A. There is no doubt he will. The fishermen that can their own lobsters will make more money.

Q. Could they do it?—A. I suppose they could do it if they would only try, but most of the fishermen have got the notion they could not attend to the packing, and fish the nets and take care of their fish.

Q. There are no co-operative canneries here?—A. No, none. I see by the papers they have got them down in Gabarus or Louisburg somewhere.

Q. Is there anything you think of yourself that you wish to add?—A. There is nothing, I am out of the business, I have not much interest in it.

Q. Then you are apt to speak more independently?—A. Yes, what I have said is an independent statement. I never intend to go lobster fishing again because I am getting too old. I would make one suggestion and that is that the month of April is no good to the fishermen here. I am aware of that.

Q. They mostly begin the 1st of May?—A. They mostly begin the 1st of May, they hardly ever begin before the 1st of May anyway. April is no good to the fishermen, they are all aware of that.

Witness discharged.

HILAIRE PATÉ, fisherman, L'Ardoise, called and sworn:—

By the Commissioner:

Q. You have heard the evidence of the previous witnesses?—A. Yes.

Q. In a general way do you agree with what they have said?—A. I do. I can give no better evidence than they have given.

Q. How long have you been fishing?—A. I have been fishing since seven or eight years, a small gear from 35 to 40 pots. That was what I fished this year.

SESSIONAL PAPER No. 22a

Q. Are you a fisherman?—A. A net fisherman and in the spring I generally fish lobsters.

Q. How do you find the fishing of lobsters now compared with what it was?—A. Well, the lobsters are a little smaller than they used to be, that is inshore. I fish outside in 13 or 14 fathoms of water and I suppose they would run pretty fair—about 120 to the hundred pounds and 130 and 110 and so on. Early in the spring they don't take so much for the hundredweight.

Q. They are fuller then?—A. It does not take so much of those lobsters because they are larger early in the season when we start to fish. As the boats go out they kind of decrease a little.

Q. I suppose the big fish get in first and they are caught?—A. Yes, I suppose so.

Q. Do you always fish in the same depth of water?—A. No, sir, sometimes in 10 fathoms. Where we find there are more lobsters we generally change our pots here and there.

Q. I suppose one season with the other you move in?—A. Yes, sir.

Q. The lobsters come ashore and you move in after them?—A. A. This year I did not. Instead of coming in I was going out with my pots, and I found it better because there were more traps inside, and outside there were less, and I had a better chance outside.

Q. There was more ground available?—A. More ground for me.

Q. Do you fish with trawls?—A. No, sir, single pots.

Q. What is the advantage of the single pot over the trawl?—A. It used to be before—I remember we used to trawl inshore but we did not find it so good. Now everybody takes the single pot. It is easier for a man to change one or two pots, or five pots, than to take the whole trawl. Then he would have to move the trawl and everything.

Q. What is your idea about the matter of the trap? In some places they have traps with the net down to an inch and a quarter in the end and the slats only half an inch apart; do you not think that kind of trap is destructive, that it takes too many small lobsters?—A. Yes, sir, where the man makes a trap like that. But I always measure with a lath. I always leave the space of a lath between.

Q. That is an inch at least?—A. And over an inch. That is my measure when I make the pot.

Q. And what is your net in the end?—A. The net in the end is over two inches.

Q. What has been the practice here among the fishermen generally with regard to berried and small lobsters; have they saved them, or have they given them to the smack?—A. I could not tell. I know what they did this year. I caught a couple of berried lobsters this year and the smacker would not take them. They were alive and he let them go overboard in the harbour. The smacker said he was not allowed to take them. But the rest of the lobsters—

Q. The smacker took everything else?—A. Took everything else.

Q. In the years past they used to take berried lobsters too?—A. When I fished first they used to in some places. I was fishing in L'Archeveque some years ago. They used to handtrap them. Well, not fishing in the spring, but they used to take them.

Q. As to the matter of price how is that settled?—A. We have got to take the price the packer is giving or else not to fish at all.

Q. There is no choice in the matter?—A. No choice. Last year, or a year ago this year, they gave as high as \$4 a hundredweight and this year they were \$2.25.

Q. That is a big drop?—A. Yes, a big drop.

Q. Has there been any competition, has one packer given a little more than another, or do they fix that?—A. Not that I know, because if we heard that we would give our lobsters to the man paying the highest price. We do that because when our expenses are paid we can give them to whoever pays us the most.

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Q. Have you any idea what proportion of the lobsters out of every hundred are below eight inches in length?—A. There is a good many below eight inches. From seven up they generally measure. A six-inch lobster would be a very small one.

Q. Do you think a six-inch lobster would get out through an inch space in the slats?—A. I think it would, for I know I got a lobster this spring that did not get into the pot. I caught it in my slats when I was hauling the pot. He happened to be on the head. He had only one claw and he weighed nine pounds. He could not get into the hoop. I happened to look and I saw the fellow and caught him by the claw. He happened to weigh nine pounds, eight ounces. I took it ashore and weighed it, out of curiosity.

Q. You don't often see that size now?—A. No, sir.

Q. Although formerly you would often see them?—A. Not since I have been fishing. They used to get an odd one of these big fellows I have heard them say.

Q. What do you think is the best way to save the berried lobster?—A. I don't know exactly. If you throw it overboard when you take it out of the pot it will go into another man's pot. It is a hard thing to save them from your pot and see them in another man's pot next morning. I think there ought to be a pound to put them in so as to keep them clear of the fishing ground. This year I have been fishing until about the 24th or 25th of June. I used to go every day when I had a chance to our pots and in that time I only took two berried lobsters. The smacker would not take them and we let them go into the harbour.

Q. Is there anything you would like to add to the evidence which has been given by the other witnesses?—A. No, it is about as good as I could give it. April is a month I don't favour fishing in. I had to risk my gear three times this spring on account of the ice, because I started on the 22nd of April. There was good fishing of lobsters but we could not keep the gear there on account of the ice, it was only trouble for nothing. To begin the 1st of May would be a short season, but a man would not have so much trouble.

Q. Then we might as well do away with the month of April and the fishermen would not lose anything?—A. No, sir. I know one day I had 30 pots caught in the ice and I had to go and get them out.

Witness discharged.

JOHN McGRATH, fisherman, Point Michaud, called and sworn:—

By the Commssioner:

Q. How long have you been engaged in lobster fishing?—A. Along for 20 years.

Q. Are you carrying on your fishing from Point Michaud?—A. Yes, in that district.

Q. What depth of water do you go out to?—A. Sometimes 14 fathoms in the spring, and 15.

Q. How far off shore will it take you?—A. I suppose three-quarters of a mile.

Q. That is pretty bold water?—A. We have to go there in the spring to get the lobsters.

Q. What is your fishing season?—A. We begin the 1st of May and end the last of July.

Q. How does that season work with you?—A. It works well with us, it is about the right time. It is, I think, about as well fixed as it could be. I don't know that the department could fix it any better.

Q. Does the ice bother you?—A. More so than it does these other men who have given evidence. We are out more on the border. These other men are in bays more than we are.

Q. The ice that strikes you will pass them?—A. Yes.

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Q. What number of traps do you fish?—A. I started with 80 in the spring but I was left with 10 or 15.

Q. Within your experience how is the fishing to-day compared with its condition when you began?—A. The lobsters have decreased.

Q. In size or in quantity?—A. Well, in quantity. In size I would not say. They seem to hold their own pretty much, that is since we started weighing them. It is a system that has got up here within a few years that the packer weighs the lobsters instead of paying by count.

Q. I suppose they adopted that system because the lobsters got smaller?—A. There were some other complications that started between them. These market lobsters were going in and the fishermen culled the small ones. That led to this system.

Q. Are live lobsters shipped from your place?—A. No, sir.

Q. You have no facilities there?—A. No, there are none only to the east of us where Mr. Baker is in Fourchu.

Q. Did he start the shipment?—A. Yes, by boat to Mulgrave.

Q. Of the two branches of the fishery which is the most profitable, the marketing of live lobsters or selling to the canner?—A. I guess selling to the canner.

Q. Is there much more gear fished now than when you began to fish?—A. There is not more.

Q. How does the number of canneries compare with former years?—A. It is pretty much of an average.

Q. The number has not decreased?—A. No, but the fishermen have decreased. They do not can as many, but there are not as many fishermen.

Q. What has become of the fishermen?—A. They have gone into other fisheries.

Q. Because they have not found lobster fishing profitable?—A. No.

Q. What canner do you do business with?—A. Chiefly Dixon. In the month of July we used to fish for Leslie. We were out on the borders you see, we were outside the limit. We did not start until the limit was open that year.

Q. Do all the fishermen in your case own their own boats and gear?—A. Yes.

Q. That is a general rule here?—A. Yes.

Q. Out of every hundred lobsters you catch how many would be berried?—A. There would not be over two or three or four per hundred. That is as far as my observations go.

Q. Is the number greater at one season than at another?—A. Not that I know of. I have them pretty much the same all the way through.

Q. As to the price received by the fisherman, how is it fixed?—A. They brought us down to a big reduction this year. The packer said there had been a fall in the market, but I understand there was a combination between them to keep the price down. Possibly the fall in the market was the cause too. I believe that was the case too. As far as we learned the price had only fallen 18 cents on a case.

Q. What is the practice in your neighbourhood with regard to undersized and berried lobsters; does the packer take them all?—A. Yes.

Q. Berried lobsters too?—A. Yes, he did up to this year.

Q. And this year what happened?—A. This year there was a system got up by the fishermen. They were supposed to throw away the lobsters and while I am aware of some having done it, I would like to see the law a little stricter because some fishermen will do it and others will not. The fishermen are standing in their own light if they do not see that it is to their advantage to throw those lobsters away.

Q. Is the practice of brushing off the eggs followed at all?—A. I believe it is, I am under that impression.

Q. Is it the case that the lobsters that have had the berries brushed off are more apt to die?—A. They are sick, they won't stand it. The fact of the matter is when the fisherman gets the berried lobster he wants to handle her as cannily as he possibly can.

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Q. You heard the evidence of the other witnesses?—A. I did in the case of Mr. Paté.

Q. Does it tally with your own experience?—A. I would agree with it.

Q. In your opinion can we adopt a trap that will prevent the capture of lobsters that are too small?—A. I think the average number of traps that the fishermen have now are fairly good as regards small lobsters. He won't need to be a terribly small lobster to get out of the traps because a lobster will go through a terribly small hole. It is only the man that has had experience that will believe it. Why if I showed you the hole lobsters went through, you would doubt it.

Q. Do you think that an inch space between the slats would be too small?—A. I guess it would. I use a lath myself as a guage for the slats.

Q. That would be a little more than an inch?—A. Well some of them.

Q. I suppose the parlour trap is not any more destructive than the others, provided the slats are that far apart?—A. No.

Q. It is only the fact that it holds for a spell?—A. That is all. My suggestion would be for the government to try to protect the mother lobster, the spawning lobster, above all other things.

Q. How do you think we can best get at that?—A. There was a packer that ran here by the name of Andrew. He bought the spawn lobsters just as they came from the fishermen and had a tank in which he placed them. If there could be a contribution from the government to the packer for the spawn lobsters and let him put them over, it would be the best protection we could get. I would approve of that instead of the hatchery, because it is more natural for the berried lobster to go away to spawn as it suits herself. I don't believe the government can establish a hatchery to suit.

Q. I believe if the lobsters were delivered at the factory and set free some distance from the spawning ground they would not be liable to be caught right away?—A. No, not right away.

Q. Is there anything else you would want to state?—A. Nothing else. That is all the suggestion I would make because I am interested in the spawning lobsters. As to the size of trap I believe that the traps we have are all right.

Q. I think it ought to be everywhere the same?—A. I saw the inspector down in Sydney in the spring, and he was looking at some traps my brother had there. For instance, he said: 'I can smash the traps.' The ice was taking them then as fast as they could go. One man said: 'You might just as well smash them as the ice.'

Q. There is no standard trap, is there?—A. He came to find out. He was talking through his hat at the time.

Witness discharged.

Commission adjourned.

LOBSTER FISHERY

EVIDENCE

TAKEN BEFORE

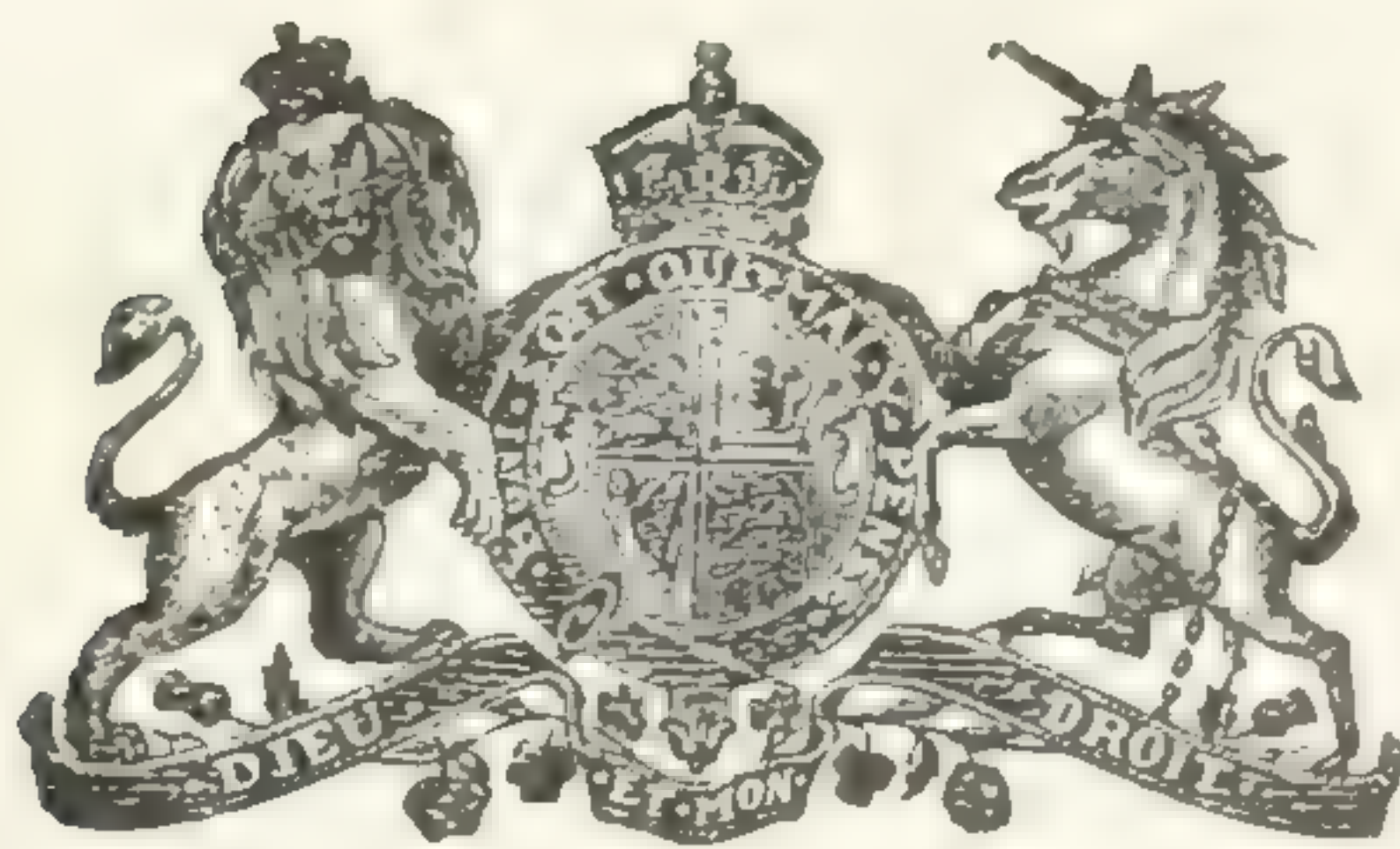
COMMANDER WILLIAM WAKEHAM, M.D.

OFFICER IN CHARGE OF THE GULF FISHERIES DIVISION,
IN QUEBEC AND THE MARITIME PROVINCES

PURSUANT TO

ORDER IN COUNCIL DATED JUNE 21, 1909

VOL. II.



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1910

QUEBEC AND MARITIME PROVINCES.

LOUISBURG, C.B., August 20, 1909.

CHARLES TUTTY, fisherman, Louisburg, C.B., called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. I have fished now ten seasons here.

Q. Is that consecutively?—A. Well, I fished four years out at different times.

Q. Then you began here ten years ago?—A. I have fished here ten years in Louisburg and four years outside of it.

Q. Where were those four years spent?—A. Two years in the State of Connecticut and two years in Rhode Island.

Q. We will take up the United States side of it afterwards. Do you fish your own boat and gear here?—A. Yes, my own fishing boat and gear.

Q. What particular canneries do you fish for?—A. I have fished for Mitchell, Baker & Co., and this year the Cape Breton Lobster Company, I think it was, Robert Simpson is the agent—the ‘Cape Breton Packing Company,’ I think it is.

Q. What distance do you generally fish off shore here for lobsters?—A. The first six weeks, in the month of May?

Q. You begin here on the 1st of May, do you not?—A. That is when the season commences, but this season I landed the first lobsters at the factory on the 20th of May, and they were taken off the shore a short distance, not outside 300 yards from the shore. Of course we go out, up the coast.

Q. To what depth of water will that take you?—A. Fifteen to sixteen fathoms is about the deepest.

Q. What number of traps do you fish?—A. I generally fish about sixty to sixty-five traps.

Q. Do you fish them as single traps or on a trawl?—A. As single traps.

Q. You begin fishing in the depth of water you have mentioned? Do you move any further in as the season advances, or do you fish in that depth of water all through the season?—A. In the same place until about the middle of June, and then we move the traps to shoal water.

Q. How shoal?—A. Perhaps four fathoms, well, the shoal is three fathoms.

Q. Now, as to the condition of the fishery, when is your best fishery? When do you find the lobsters at the best?—A. In the month of May.

Q. What is the average run of your lobsters here, are there many below the size limit?—A. A. Yes, sir, quite a number. This year they have run fully 25 to the hundred.

Q. That is 25 below the size limit?—A. Below.

Q. What has been the practice here—of course, you know about the regulations as to the size limit, the protection of the berried lobster, and all that sort of thing—what has been the practice on this part of the coast? Of course, we find that the practice nearly everywhere is that the regulations have not been observed rigidly, some places more so than others, but especially the size limit has not been observed?—A. It happened here that there are some fishermen that observed the regulations, but, of course, this last year or two matters have been going so that the fishermen do not care; they have been getting the lobsters in to the factories.

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Q. Do the factories make any objection to receiving the illegal lobsters, or do they take all they get?—A. The packers made a kind of objection, but I do not think they ever rejected any; I have never known them to reject them.

Q. As to the berried lobster, what disposition is generally made of the berried lobster?—A. Do you mean the seed lobster?

Q. The seed lobster?—A. The berried lobster has been looked after pretty well since they commenced taking those lobsters to the pound. As far as the fishermen are concerned, the seed lobsters have all been delivered to the pound.

Q. How long have you been taking those berried lobsters to Mr. Baker?—A. About five seasons, I think; but I am not quite certain about that.

Q. Do the fishermen get any more for the berried lobsters than for the ordinary run?—A. Yes.

Q. Does Mr. Baker's boat come around and collect them?—A. Yes, he collects them in his smack. *The Sea Bird* collects them.

Q. What percentage of female lobsters would you say there is to the hundred, that is of proper size?—A. This year there has not been five per cent.

Q. Was the percentage less this year than usual?—A. Yes, sir.

Q. At what particular part of the season would you expect to get most of those seed lobsters?—A. In the month of July.

Q. That is when you are fishing in pretty shoal water?—A. Yes.

Q. You get them in the deep water outside, do you?—A. Oh, yes; at the first of the season we get some.

Q. Have you noticed yourself whether the eggs are as far advanced at that time as they are later in the season?—A. No, sir.

Q. They are not as ripe?—A. Not as ripe. Another thing I have noticed in the seed lobster the last two seasons is that they run much smaller in size.

Q. Usually the seed lobster is a fair sized lobster?—A. Yes, a fair lobster.

Q. Have you ever remarked what was the smallest lobster bearing seed?—A. I did this season. It has been talked over quite a lot, and I got a seed lobster this season and I made the remark that it was not worth while delivering her to Baker and I was going to put her overboard; that lobster did not go eight inches.

Q. They have some specimens in Ottawa $7\frac{1}{2}$ inches, but it is very, very rare, to find berries on lobsters of that size?—A. Well, that is very rare, although this season I got five or six that were nine inches, but $7\frac{1}{2}$ inches is a very small one.

Q. Now, from your own experience, how does the lobster fishery stand to-day as compared with the conditions when you began fishing here?—A. It is away back.

Q. You mean it is going down?—A. Oh, it has gone down a great deal. I could get in an average season now 2,000 pounds of lobster, when I was fishing nine years ago in a similar season, with the same amount of traps, I could get 7,000 pounds.

Q. That is with the same gear in a similar season?—A. Yes, fully that.

Q. What is a fisherman's average catch in a season, what does it amount to?—A. This season I do not think the average catch—taking it right through—

Q. Of course you were late in beginning?—A. We were late in beginning, but if we had got the month of May with an average about the same as the last ten days of it. I suppose that with 100 traps they would average about 2,000 pounds, for the month of May.

Q. And for the month of June?—A. Well, of course for the month of June they would have again very nearly that.

Q. And July?—A. There were no lobsters this year in July.

Q. There was nothing done in July?—A. You might say there was no lobster fishing in that month, the heavy gale in the first part of July destroyed all the gear and most of the fishermen knocked off. I did not. I fixed up twenty-five old traps, and I had the coast nearly to myself, and did fairly well, but there were no lobsters, they would not average two lobsters per trap.

SESSIONAL PAPER No. 22a

Q. How do you account for that, did they back off, do you think?—A. Well, they did, before the breeze they appeared to be very fair, but after that the lobsters apparently went off shore; it was the heaviest gale we had for years, and I think the lobsters went off the shore.

Q. What time in July was that?—A. Somewhere about the 8th or 9th of July.

Q. We had the same breeze at the Magdalen Islands and they knocked off there at that time, a great many that had traps out lost them altogether.—A. We had moved the traps into shoal water and everything was destroyed.

Q. Has it ever been the practice here to wash the berried lobsters?—A. Before the Baker pound was established what was generally done with the berried lobsters?—A. There were some fishermen who let the seed lobsters go, but there were some who washed the berries off and sold them to the factories.

Q. Has the number of traps increased at all in the last ten years?—A. It has.

Q. Are there more people fishing lobsters now than there used to be?—A. I think there were more fishing in Louisburg this year than for a number of years.

Q. Are the most of those who do fish lobsters here regular fishermen, or are they men who only fish lobsters and then go to the farm or some other occupation?—A. Most of them are regular fishermen.

Q. What other fisheries are carried on here?—A. The cod fishery, the herring and the mackerel, those are the principal fisheries.

Q. Are those fisheries carried on during the lobster season—A. The mackerel fishery commences about the 10th of June.

Q. That is a gill net fishery altogether?—A. Yes.

Q. How long does that last with you?—A. About three weeks.

Q. Beginning about the 10th of June?—A. Yes, this year they were a little later than that.

Q. What sort of a run of mackerel are they?—A. Pretty large, the largest mackerel that has been caught for years were caught this year.

Q. Do most of the fishermen who fish here own their own boats and gear?—A. Yes, they own their own boats and gear.

Q. Now, in regard to the future of the lobster fishery various propositions have been made to the Department and to the Committee of the House as to the remedy for the condition of affairs which exists in the lobster fishery, which, in some places, is very much more exhausted than it is here. Some people have said that the best remedy is to shut down altogether for a term of years.—A. That is a pretty severe course.

Q. That would mean that the canneries would go to pieces and all of the gear at present in use would be lost, and the fishermen, many of them, would be knocked out altogether, because in many places there is nothing else for them to go to, the great majority of those engaged in the lobster fishery in some places are not regular deep sea fishermen, they are farmers who go out and fish lobsters. The regular deep sea fishermen could perhaps find something else to do. Then the Lobster Commission of 1898 took evidence and made a report advising the closing down by sections, shutting off certain sections of the coast each year, and allowing fishing in the other sections during that period until the whole coast had been covered in that way by a close season. What would you think of that scheme?—A. Well, I don't know; I would not approve of it.

Q. Then it has been suggested that we should strictly enforce everywhere the regulations with regard to the preservation of the berried lobster, and where it was possible to have pounds to have them, and where hatcheries seemed to meet the case better than pounds to have hatcheries, or where you could not do either to get the fishermen to return the seed lobster to the water, and to somewhat shorten the season so that the late fish, which are undoubtedly the smaller run of fish, and which undoubtedly have the larger proportion of berried lobsters among them, should escape, and

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perhaps we could in that case do away with the size limit altogether, because it is very difficult to enforce it?—A. That is what it is.

Q. In your own experience as a lobster fisherman what would you suggest as the best thing to do for this particular neighbourhood; of course you realize something has to be done?—. There is no doubt about it.

Q. Of course it might cause a little inconvenience and hardship for a few years, but ultimately we would hope to gain something for it and to be recouped for that loss.—A. Well, in my own opinion, to protect the berried lobster I think that there should be a month, the month of July, anyway the latter part of it, I think is the month that the seed lobster should be let alone. I do believe myself that where the seed lobster is taken out of the water and shipped to a different water the seed does not mature; I believe it is a hurt to them, and I think a lot of them die. I would say that, in my opinion, I would like to see—it used to be the rule I understand a number of years ago, before I came here, that in the month of July and the month of August there was a close season, and if the fishermen wanted to fish again in the months of September and October it was open to them to do so; and while it cut their season short in the one end, it gave it to them afterwards and the seed lobsters were protected in the months in which they should be protected.

Q. But in those days I think we had a 9 inch limit did we not?—A. Yes.

Q. I think in the beginning the lobsters were more abundant, and as far as I remember the size limit was fairly well observed in those days, and it was only when the lobsters began to get scarce and the packer had to take anything he could get hold of that they began to ignore that regulation?—A. Yes, and it is becoming harder each season to observe it. If you take the illegal lobsters out the catch would be very small.

Q. The consensus of opinion nearly everywhere is that if we enforce the size limit regularly it would knock a great many fishermen out and shut the canneries down?—A. I think so myself; it is not altogether here, but in Mira Bay they get very small lobsters, and if they had a size limit, and it was enforced, I do not believe there would be very many fishermen fish. I cannot see the idea of putting a size limit on and not enforcing it. I do not approve of this business of putting the seed lobster in the pound, although the pound may be all right if the right men are handling it, but it is a pretty hard thing to do these days, putting a pound there and putting a man there that will do what is right; if all men would really look at what is to the fishermen's benefit in years to come, in the future, they would do what is right now, but there are very few people nowadays who look that far ahead.

Q. And unfortunately a great many fishermen are careless about that?—A. A great many are far too careless.

Q. What would be your idea of pounds?—A. Well, sir, if you are speaking about the plan that I saw practiced in Connecticut, and of what we had to do there, I approve of it, but I have not seen anything I approved of in connection with the pounds since I have been lobster fishing here.

Q. What was the practice there?—A. The practice was that there was a man appointed—

Q. By the government?—A. Yes, by the State Fishery Commission, to look after the seed lobster, generally one of the fishermen. The fishermen brought the seed lobsters in and delivered them to that man and he simply kept an account of them and gave you a record; he had a ticket punch, and in the middle of the tail he punched three small holes and then put the lobster overboard right there. Every week end he had to send returns to the State Fishery Commission, and the fisherman received his money direct from the State at the market price. I know the market price was 16 cents that season. It was no good for the fisherman to take that lobster because he could not sell it in the market or to anybody; it was privately marked, and the mark remained there long enough for the lobster to be protected.

Q. Was there any size limit there at all?—A. Nine inches.

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Q. And how about the close season?—A. There was no close season.

Q. When you fished in Rhode Island how were things run there; what close season did you have there?—A. The open season was from the 15th of March until the 15th of November, and they were supposed to throw the seed lobsters away; the size limit was 9 inches, but the law was not enforced there as strictly as it was in Connecticut.

Q. You never fished in Maine?—A. No, I never fished in the State of Maine.

Q. Now, as to the matter of traps, what trap is used here?—A. We use the ——

Q. The parlour trap?—A. The parlour trap they call it, different makes, some 4 bow traps and some 3; some with four ends and some three ends.

Q. The old double ender trap has gone out of fashion?—A. Altogether.

Q. I think the advantage of the parlour trap is not that it catches more lobsters but that the lobsters that do get in it cannot get out?—A. That is it, the lobsters are there when you haul the trap.

Q. Now, as to the space between the slats—when we began lobster fishing in our country the fishermen used to leave an inch and a half space between the slats, they used the lath itself for a gauge; but this space has been gradually narrowed down until in some of the places we have visited it is not more than half an inch. Do you think it is possible to so regulate the traps as to leave a sufficient space between the slats for the undersized lobsters to get out, or will they go out once they get in the trap?—A. Oh yes, they will go out all right if the space is left wide enough.

Q. Now supposing the size limit were done away with?—A. I think any lobster under eight inches—of course we get some lobsters bigger bodied, but I think an inch space is plenty.

Q. Is that what you usually leave here?—A. Our space is not that wide, I have traps that I think $\frac{3}{4}$ of an inch will cover the space.

Q. We generally used a slat as a guage and the width of a slat is I think $1\frac{1}{4}$ inch or an inch and one-eighth. Would an inch be a fair space to insist on?—A. I think it would.

Q. And how about the mesh of the net in the end of the trap? A good many lobsters will get out through that if they get a chance.—A. Well, I would say about—I knit the nets for my traps with a mesh of, I guess, about $2\frac{3}{4}$ inches.

Q. That is extension measure?—A. Extension measure; a three-inch mesh is pretty large, you see it would let quite a large fish get out; it does not seem very big to look at, but a large lobster would squeeze through it.

Q. As to the matter of price, who fixes the price that the fisherman gets for his lobsters?—A. The packer does.

Q. The packer fixes it—what was the price paid here this year?—A. We started at \$2.25.

Q. Did they raise the price?—A. On the first of July they raised to \$2.50; we had eight cents apiece for seed lobsters at the start, and on the first of July they raised to six cents a pound for them.

Q. To six cents a pound?—A. Yes.

Q. But after all the quantity of seed lobsters that a man gets in a season is not so very, very great, is it?—A. No, I forget exactly the number I got this season, but I think it was 20 or 24.

Q. It does not seem to me that the number is so large that it would make any great difference to the fishermen if they could all be induced to put the seed lobsters back in the water as soon as they are taken out of the trap?—A. I think so myself, I have done that this season, I have not delivered all the seed lobsters I had to the factory, and I think there are a great many fishermen in Louisburg who would agree with me on that; that is one of the agreements they signed themselves this year—to throw away the seed lobsters.

Q. Is there a fishermen's union here?—A. No, there is one in Gabarus and another at Main-a-dieu.

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Q. It has been suggested that it would be a good thing to send somebody around to induce the fishermen to throw away the seed lobsters. Would there be anything in that proposition? Do you think the bulk of the fishermen could be induced to do it?—A. I believe it would be a good thing. I tell you the way it is with the seed lobsters that Mr. Baker has not been giving the fishermen what the fishermen think they should have. The fishermen claim that the money the government pays for the lobsters they should get and a good many of the fishermen are better satisfied to throw the seed lobsters away than to give them to Mr. Baker at the price he has been giving them; he has been making money out of them.

Q. Is there any objection to a pound of that kind being under the control of a private individual?—A. Yes, certainly, that is what the fishermen have been kicking about more than anything else; it should be under the control of the government, there is no doubt about that.

Q. As to the matter of lobster hatcheries, have you any experience in that connection, or any knowledge about them?—A. No, I have not.

Q. How does the price paid for lobsters today compare with the price paid last year—last year you got what?—A. We got $3\frac{1}{2}$, the price is away ahead of what it used to be, the first year I fished for 75 cents per hundred count.

Q. Now it is all by weight?—A. Yes, and our lobsters this spring did not average 100 pounds per hundred.

Q. What would they average, do you know?—A. My lobsters averaged from 85 to 90 lbs. for the whole season. In the spring they went a little heavier.

Q. Do you know how they averaged in the canneries?—A. I had Mr. Lamont explain the whole matter to me this spring, during the trouble; he had managed the Mitchell factory for years, and he told me how many it took for the case, and if I can remember he said it took 140 lbs. of lobsters from the fishermen—

Q. That is green lobsters?—A. Yes, to make a case.

Q. It took 140 lbs. of green lobsters to make a case, that is 48 lbs. to the case?—A. Yes.

Q. But there is not really 48 lbs. of meat in a case of canned lobsters, because they allow a great deal of water in the tin?—A. That is what they average.

Q. Is there any competition at all in the matter of price, or is the fisherman forced to accept whatever the canner offers?—A. A fisherman is forced to accept it. We had a case in point last spring. \$2.25 was offered, and the fishermen kept their traps on the shore for a week and made out an agreement which they sent to the packers for a higher price. The packers told them that they would not pay any more than \$2.25, and they made the fishermen an offer in Gabarus; they didn't do it here; but Mr. Williams told them there that any man who did not want to fish for that could haul his gear for another year.

Q. What did the packers assign as a reason for that drop in price?—A. That the market was down, and that they could not give the higher price that the fishermen asked. Of course, I think our fishermen, in asking \$3.25, were asking too much; and I think that taking the price of \$16 a case in the market that the packers could not afford to give \$3.25, because it will cost \$11 to pack; last season, at the price they gave for cans, solder and all that, it cost Mitchell here \$11 per case.

Q. It cost that much to put them up?—A. Yes.

Q. Of course, the price of materials has gone up as compared with the early days when they were paying 50 cents per hundred for lobsters; the material was cheaper then, although they did not get as much for the lobsters, which, I think, were sold at the beginning at from \$6 to \$8 per case?—A. I have seen them sold here at from \$7.50 to \$8 per case. I know that Mr. Williams told us the other day when settling up that he could almost guarantee us we would get our \$3 next season.

Q. There is an upward tendency, I think, in the market?—A. Yes, it is looking up.

Q. The market was down last year, no doubt?—A. Oh, it was down. Mr. Baker

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was a good man, and yet in one way he was a poor man; he was a man who did not look ahead enough, and he ran the price up a little too high.

Q. He was not alone in that, I suppose; it was general?—A. He was not alone; he ran it up, and he came down here and got control of Mitchell's factory, and the price went down.

Q. Is there anything at all done here in shipping lobsters alive to market?—A. Mr. Baker has shipped until this season; there was not any this season.

Q. And I suppose he only shipped——?—A. All over the 10½ inches.

Q. How did he get them to market?—A. His smack, the *Sea Bird*, took them to Hawkesbury, and they went from there by steamer; they put them in the pound at Forchu first and made their different trips gathering them up. The last two years they shipped they took them to Mulgrave and shipped them in refrigerator cars.

Q. Have you any idea how they reached the market?—A. In poor condition. I don't think he ever made any money out of it.

Q. So that favourable conditions do not exist for carrying on any considerable trade in live lobsters here?—A. No, sir; not by that route. The only way it could be done here would be by using tank boats.

Q. What do you think, is there more money in the live lobster industry, where it can be carried on, than there is by selling to the canneries?—A. Oh, yes, much more.

Q. Now, as to the matter of licensing canneries, do you think there is a sufficient number of canneries in existence?—A. Oh, I think so.

Q. What do you think of the present system of licensing canneries? The department, in the early years, used to give every one a license, and then it was found that the thing was overdone—a great many people dropped money; people went into canning who knew nothing about it, and then there came a time when the department restricted the number of licenses, and for years past would not grant any new licenses, but since this friction in Cape Breton between the packers and the Fishermen's Union the department have decided to grant what they call 'co-operative licenses.' A number of those co-operative licenses have been granted in various parts of the coast, enabling the fishermen to pack lobsters themselves where they have banded together to do so. Do you think that those licenses fill the bill, and that the fishermen are given an opportunity to compete with the other canneries when they are not satisfied with the price which the canners offer?—A. I think so. I think the fishermen should have the privilege, and I do not think it will interfere with the canners, because if they will give a fair price for the lobsters the fishermen will not want to get a license to can themselves.

Q. What do you say, supposing the price was a fair one, would the ordinary fisherman do better at fishing and selling his lobsters to the cannery than by canning himself?—A. Certainly.

Q. Of course, it requires some business experience to operate a cannery successfully?—A. That is the way it was here last spring; supposing you took out a license, the lobster fisherman could go out and catch lobsters; we all know where to set our traps and how to set them; but when it comes to packing lobsters, we do not know how to do it. A man has to know something about it in order to pack lobsters properly. Of course, there are a few in Louisburg who could pack their own lobsters, but the majority of them could not, so that the majority do not want a license.

Q. They are satisfied to continue fishing if they can get a fair price?—A. If they can get a reasonable price for the lobsters; and I think we have a good man now, so that another season it will be better. I think it was a little the fault of the fishermen this season; they carried things a little too far. If they had asked a reasonable price, I think we would have got it. I know I was one of the strike breakers this spring; I would not go into it. There were 28 fishermen here, and 9 of us would not go into it.

Q. Are you aware of any fisherman having lost his catch of lobsters by reason of the canners having refused to accept them?—A. No, sir.

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Q. Now, as to the matter of canneries, do you not think that it would be reasonable to expect a cannery to be up to a certain standard? I have seen a good many canneries that are putting up a very inferior article, they must be doing so, because they were equipped with dirty tables and were unclean and unsanitary in other respects. Do you not think we have a right to insist upon a certain standard of cannery, that the meat should be opened and broken on a table of certain pattern, covered with marble or some other covering of a kind that could be easily cleansed?—

A. I think so, I was going to make that remark some time ago and I believe that is something that is coming very quickly; some provision of that kind will have to come. When the ordinary fishermen see that it is necessary to have that kind of equipment to pack lobsters, they will not be so anxious to go into it.

Q. I think it is perfectly legitimate to insist upon a standard of that kind, because we must protect the people who eat the product?—A. Certainly. they should be protected.

Q. I think it would be of benefit to the industry, because with such inspection the price which the good canner will receive under such conditions will be better, and he will consequently be in a better position to compensate the fisherman for his raw material?—A. I would think so.

Q. Then there is another question in that connection, that of inspecting the product of the factory. The tendency of the present day is to have all food products inspected, we inspect all meats put up for food; all butter, cheese and everything of that sort that enters largely into the food consumption of the people is inspected nowadays. Is there, in your opinion, any reason why the canned lobster should not be inspected in the same way?—A. I think it should be inspected; take the lobster from the time it is caught until it is sold in the can, there is lots of room for inspection. There was a Mr. Mitchell and I was speaking to him a great many times before he died, we had quite a grievance about some fishermen not using the proper kind of bait. It makes a lot of difference in the meat of the lobster. There was a rumour some time ago that some of the fishermen were using blubber which attracts the fish to the traps and Mr. Mitchell made quite a kick about it because he thought some of the fishermen were using that, he told me last winter that he was almost certain some of them were using it.

Q. Do you think it makes any difference with the lobster whether you use good fresh bait or old bait?—A. It makes a lot of difference.

Q. What bait do you prefer?—A. The best bait that we use here is the gibbs of the mackerel, there is nothing like it, and if you can put a trap out there with the fresh cod gibb that is good bait.

Q. Do you think the fresh bait will take the lobster away from the old bait?—A. Yes, all the time.

Q. Do you think there is a regular combination on the part of the packers to keep down the price?—A. I do so; I am not prejudiced against them, but from what I have seen down about Cape Breton I think there is.

Q. How would it affect the fishermen here if ten days or a fortnight were cut off the tag end of the season?—A. Of course that is a matter that will depend on the season. With a season like this, when we did not get fishing until the 20th of May, it would give us a pretty short season. Of course the latter part of the season was no good to us, but if it had been good in the latter part of July it might possibly have made up for the loss in the month of May.

Q. But there are other fisheries here that the fishermen could go into if the season were shortened?—A. Oh yes, I was sorry myself that I hadn't broken it off on the 15th of July and gone into other fishing. I think that cutting off the last 15 days of July would be quite a help to the lobsters.

Q. I think so myself.—A. They talked about the matter of extension of the season this year, but the fishermen did not want it.

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Q. Tell me about this matter of 'extension.' Do you not think it would have been better in the past to have had fixed seasons? Have the extensions in the past worked harm to the lobster fishery? That is the question?—A. Yes, sir, they have, because the extensions have come in the very worst season for the lobster. Now, this year, I notice we have had more soft-shell lobsters than we have had for years, and I believe that the lobsters this season shed earlier than usual.

Q. What was the cause of that, do you think? Was the temperature higher, did the water get warm?—A. It may have been, I do not hardly know how to account for it.

Q. Do you think the lobsters come inshore to spawn?—A. Yes, there are a few follow up the 'handpulls' late in the season.

Q. They are only used in the month of July?—A. Yes, but most of the lobster fishermen are down on them.

Q. In New Brunswick they call them "curleys" and they are used only in very shoal water.—A. And when you get five or six seed lobsters in the hundred in the lobster trap you will get ten or a dozen in them.

Q. And you say the regular lobster fishermen are opposed to them?—A. Yes, I know that a few years ago there were many of them used.

Q. How is the season observed here, is the close season observed, or is there any fishing or canning done here outside the season?—A. No, sir, I think that is one thing that is strictly observed.

Q. Is there any other statement you would like to make, because we will be glad to record it if there is anything I have not covered?—A. I do not know of anything other than I have stated, of course I would like to have some other lobster fishermen heard, there are matters that should be talked over, and certainly these matters that you have asked me about have been talked over.

Q. You have discussed these matters with other fishermen?—A. Yes, these matters have been discussed for a long time. There was a meeting held this last spring at Louisburg to fix a price on the lobsters; I did not go to the meeting, but it was talked over, and when I saw the agreement that was drawn up to be signed, I said I would not have anything to do with it. The question was asked in that meeting about the price of lobsters in the market, and what it cost per case to pack them, and there was not a man there of those who were ready to sign this agreement to force the packers to pay the price demanded by the fishermen that could tell us anything about it. The fishermen at Main-a-dieu had to get the factory here to take their lobsters. You will find lots of fishermen down at Main-a-dieu, and I think you will get a lot of evidence there on that subject, and, I believe myself, that the evidence you will get there will be against the packers, because the fishermen there have had a lot of trouble with the packers during the last season. I do not blame the packers altogether, I do not think the fishermen used the packers right, and on the other hand I do not think that the packers used the fishermen altogether right; I do not see how they could pay the price demanded, we know what it costs to pack a case and I do not think the packers can afford to give \$3.25, but I do think that they could afford to pay \$2.50 or \$2.75 last spring.

Q. Well, they did come up to \$2.50 in some cases, and in others I think they came up to \$2.75, so that there really was some little competition because the canners were anxious to get the lobsters?—A. We have a fairly good man to deal with here now, and I think it has been as satisfactory as in other years in that respect.

Q. When was this price settled, was it just before the fishing season or during the winter—when do you know what you are going to get for your lobsters? In some places they tell us that they do not know until the fishing season is over?—A. We generally know along about March, two months before the season opens. This spring we did not know until some time in April when we learned that the price was \$2.25, and of course the fishermen hung out for more.

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Q. You are bothered here considerably with the ice are you not in some seasons—there have been seasons when it has bothered you all through the month of May has it not?—A. Yes, sir, last year until the 7th of June and this last season it was here somewhere about the 17th or 18th of May. I put my traps out on the 10th of May and had to bring them in and I think it was on the 19th or the 18th of May that I put them out again, the ice was off shore then, and on the 20th the first lobster was delivered at the factory, then we did not know whether the factories would run, it was the 25th of May before we knew whether they would run or not. I do not know how it is, but our lobsters fail in different sections along the shore; in from the lighthouse, down the shore east is a pretty good lobster ground, but it failed a few years ago and the western side of the harbour held its own, but the dredge was working here a few years ago, and they took all the mud, &c. from around the piers and dumped it at the light house, and after the season in which they dumped the mud along the shore the lobsters were not there.

There is one thing I would like to speak about and that is with regard to the bait that is used. It is only within the last few years they commenced to use the mackerel gibbs, and some of the fishermen are not very particular about the kind they put in the bag. I think myself that these entrails should not be used in the lobster traps at all. Then again many more fishermen do not mind where they dump the old stale bait; they throw it overboard, and it is, in my opinion, the fishermen's own fault, to a great extent, if the lobsters have failed along this shore. We were speaking about that here a couple of days ago, about some of the herring fisheries. It has, of course, got to be the habit within the past five or six years—

Q. Is there much herring put up for market here?—A. A pretty good lot, the best shoal of herring all around, but the dog fish are troublesome here.

Q. Are they numerous here now?—A. Very numerous. A fisherman this morning had from 100 to 200 in the nets.

Q. How do they pack this herring here, have any of them adopted the Scotch method?—A. No, sir, they adopt the old method but they take more trouble with them. They scrape all the blood off the backbone of the herring and that makes a much nicer fish, it is cleaned better; our herring is worth about \$4.75 now, and we expect to realize about \$5 per barrel for them. It has been a fairly good season for the fishermen outside the lobsters, but it has been the worst lobster season ever known here. There has been a great scarcity of fish, last year I think the high catch was 7,000 lbs. and this year I do not believe it will go above 3,000. The lobster fishery is an industry that I expect to follow and I would welcome any regulations or anything that can possibly be done to improve it.

Q. Do you think there is a growing disposition on the part of the fishermen to protect the seed lobster?—A. I think there is.

Q. We have found that there is, we have heard a great deal about it everywhere that the fishermen are beginning to see the necessity for saving the seed lobster, and I do not see why they should not because the number of them he gets during the season is not so great that the fisherman would lose a great deal by putting them back in the water. Of course I know that one man says, 'I would put them back, but it is no use my doing so if my neighbour would take them, wash the eggs off them and sell them to the factory. If he does it why should I not take those seed lobsters in the first instance instead of putting them back for my neighbour to catch.' But I think if there was a universal agreement among the fishermen to put the seed lobsters back into the water as soon as they were taken out of the traps I do not think there would be any difficulty about it?—A. I think it would be very easy to carry out that arrangement. I think I know almost every fisherman in Louisburg, and I do not know of any that I would have any doubt of. I think that next season, or any time in the future, if they were simply asked to put the seed lobsters back in the sea and shut down the pound, every fisherman would do it. I

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know that this season there has not been over 100 seed lobsters taken to the pound from here, the fishermen have agreed among themselves and put them back in the water. I have been in the *Sea Bird* and helped dump the seed lobsters into the pound, and certainly the lobsters went overboard all right, in very good condition, at the same time I do not think that the seed will amount to anything.

Q. What is the extent of that pound, how far inland does it run?—A. I do not know hardly, it is about half a mile inside.

Q. And how wide is it?—A. I hardly know the width of it, it is only a very small pound though.

Q. And the depth of the water?—A. There is not over two fathoms of water.

Q. And what is the bottom?—A. Mostly a mud bottom.

Q. With eel grass?—A. Eel grass. There is another pound connected with it for the live lobsters. I think when in the pound the lobsters are all right, but they have to undergo a lot of handling; you see we get those seed lobsters here in the traps and they are taken out of the traps and delivered at the factory by the fishing boats. At the factory they are put into the crates and lie there sometimes for a couple of days waiting for the smacks, and then perhaps they may be a whole day on the smacks before reaching the pound, and then they are taken out of the crates and put into the pound.

Q. And I suppose when the season is over they open the pound and let them go?—A. No, they dip them out of the pound with dip nets, and take them down east as far as Scatari and west as far as St. Peters. I have seen the fishermen distribute them mostly at Fourchu, and the fishermen down east claim that the lobsters going to Fourchu remain there. The fishermen at Main-a-Dieu would not give any lobsters to the pound this year but put them back in the sea. I think the last few seasons the law has been well observed around here. I do not know how it has been at other places, but if the law has been as well observed elsewhere as it has been here it would be all right. I think that the fishermen, as regards the seed lobster, have themselves done a pile of good, because there have been very few caught that they did not throw overboard.

Q. You said that there was 5 per cent of seed lobsters; I would consider that a pretty heavy estimate?—A. Five seed lobsters to the hundred.

Q. Yes, five seed lobsters to the hundred; do you think they run that much? Of course they are more numerous in some places than in others?—A. It usually takes 85 lobsters to make a hundredweight, and if you get two seed lobsters, that is a pretty small average. I may get six or seven to-day, and then perhaps for several days I will not see any. I have been that way this season; for four or five days I would get no seed lobsters, and then I would get quite a few. If you have a good smooth night and have your traps among the rocks you will get four or five, but if it is a rough night you will not get any. I do not know whether next year we will have the same packer, but if we do have the same packer here it looks as if there will be more satisfaction for the fishermen next year. Of course, I do not think that another season there will be many engaged at the lobster fishery in Louisburg.

Q. There doesn't seem to be many at it now?—A. There were 28 fitted out this spring, but many got disgusted when they lost their traps and quit. I do not suppose that to-day you will find eight men here who fished lobsters this season; they have gone away to the mines.

Q. These are all Canadian, not American, packers here?—A. All Canadian.

Q. Is it true that Mr. Baker has left the country?—A. Yes, sir; he left rather unexpectedly to his fishermen. Lots of them found Mr. Baker a pretty good man, and he was doing pretty well up to the time he left; but I do not think that if he came back to Cape Breton the fishermen would take so much stock in him. I think he is the man who caused the first trouble with the lobster fishermen. Mr. Mitchell is a good man with the fishermen; one day he would try to keep the price down all he could, but when the time came to put up the price he would put it up.

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Q. Where does he belong?—A. He was an American at first, but has been here many years. I have seen Mr. Baker give as much as \$15 per hundred for lobsters. First he came in opposition to Mitchell here, sent a boat here and bought Mitchell's lobsters. Baker and Greely then went together, and that caused trouble. He sent the *Sea Bird* down to Mira bay to buy lobsters, and paid as high as \$15 there to buy Greely's lobsters; that is why he is not a good man for the fishermen. He ran the prices up to get the lobsters, and when they put the prices down again it seemed pretty hard for the fishermen to come down. He is the man who did a lot for the fishermen at Gabarus, Fourchu and other places. I guess Mr. Baker had about 120 boats.

Q. Had he a large cannery there?—A. He had one at Gabarus, one at Fourchu and one at L'Archeveque. He packed a large quantity of lobsters.

Witness discharged.

Commission adjourned.

MAIN-À-DIEU, C.B., August 21, 1909.

DANIEL MARTEL, fisherman, Main-à-Dieu, called and sworn:—

By the Commissioner:

Q. How long have you been engaged lobster fishing?—A. I do not really know. I suppose it is about thirty years off and on.

Q. Have you always fished in the same place?—A. Yes.

Q. That is off Main-à-Dieu?—A. Yes.

Q. When not lobster fishing, in what other industry do you occupy your time?—A. Fishing, and I have been to sea a little.

Q. You carry on other fisheries?—A. Yes; cod——

Q. Herring, mackerel, and whatever is going on in the way of fishing, I suppose?—A. Yes.

Q. What is the practice here among the fishermen, do they own their own boats and gear?—A. Yes.

Q. What lobster canneries have you in this neighbourhood?—A. We have two here, but only one operated this year.

Q. Who are they owned by?—A. W. F. Greely is the man who ran the factory that Burnham & Morrell owned.

Q. And the other?—A. Baker & Company own the other.

Q. How long have these canneries been in operation here?—A. This cannery here. I do not rightly know; it is quite a number of years, but I have not the slightest idea.

Q. Have any other canneries been in operation here?—A. Yes, there was one before this, owned by the Portland Packing Company, but that is long years ago—in my boyhood days.

Q. They gave up and moved away?—A. Yes.

Q. In what direction do you carry on your lobster fishing from here?—A. I fish over in Mira bay.

Q. About what time does the fishery usually begin?—A. It is supposed to begin on the first of May but we very seldom get out much before the 10th or 15th, and sometimes not until June.

Q. That is due to the ice I suppose?—A. It commences according to the time the ice moves out.

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Q. How far off shore do you begin to fish generally?—A. We generally fish quite a way off, perhaps $\frac{3}{4}$ of a mile.

Q. And what depth of water do you get there?—A. Ten fathoms, eight fathoms and so on, and when you get close in to shore two fathoms and one fathom.

Q. But you begin far out?—A. Yes.

Q. And do you move in as the season advances?—A. Yes.

Q. That is to say, you follow the lobsters?—A. Yes.

Q. What number of traps do you usually fish?—A. I can hardly say, sometimes we have 200, sometimes more and sometimes less.

Q. You have two men to a boat, I suppose?—A. Yes, and then we generally fish 200 traps.

Q. Are they on trawls or do you fish them singly?—A. Some each way.

Q. What is the best part of the lobster fishing season?—A. When we first begin in the spring.

Q. Do you get larger lobsters or more as the season advances?—A. In the first few days ago we get larger lobsters, and then they begin to get small, and then as you get into the shore among the rocks you begin to get larger ones again.

Q. What proportion of the lobsters taken here will be under the legal size limit of 8 inches?—A. That is a question I can hardly answer, but I would say that about 25 per cent are below 8 inches.

Q. What has been the practice, have these small lobsters usually been brought to the cannery?—A. Yes, always, most always, with one exception; when we got the union here Baker cornered us and made us take our small lobsters away, he would not take them at the cannery; that was only done on the one occasion, and it was not done in any other place, I understand.

Q. As to the female lobsters with the berries extruded, what percentage of them do you get in your catch?—A. That is another question it is pretty hard to answer.

Q. You cannot tell definitely, you can only say about the percentage to the best of your knowledge?—A. This year there were scarcely any berried lobsters at all but last year I suppose there were 4 to 1, well say 3 to 1 anyhow.

Q. Was the percentage as much as that?—A. Yes, that is the proportion of mine to the catch this year.

Q. That is you got 4 last year to 1 this year?—A. Yes, that is it, but it is pretty hard to say as we heave them all over as soon as we get them.

Q. What number of berried lobsters would you say you get in every hundred lobsters taken?—A. I have not kept any account, I would hardly say.

Q. In some places they tell us that there are two or three, and in other places they say it is as high as five or six.—A. I would think there would be about 4.

Q. What has been the practice with regard to them, what do you do with them?—A. Well, I heave them overboard.

Q. That is done generally, and in other places they bring them all in to the cannery?—A. Yes, but later on Baker was taking them and putting them into his pound; he says he puts them along the coast afterwards, and perhaps he does, but I cannot say whether he does or not; anyhow we came to the conclusion that this pound was nothing more than a slaughter house for these seed lobsters, and we concluded that we would all put them overboard and we have been doing that.

Q. For how long have you been doing that?—A. For three or four years we sold them, but seeing that Baker was giving us such a small price for them we had to do something and this year some fishermen put them overboard, others did not.

Q. How do they collect these seed lobsters?—A. Baker's smack goes from place to place.

Q. What style of lobster trap do you use here?—A. A trap made out of laths with three ends, net in the ends.

Q. That is the parlour trap?—A. Yes.

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Q. How long has that trap been in use?—A. It has not been use very long here, not over six or seven years.

What do you claim for that trap, what is its particular merit over the old-fashioned trap?—A. Well, the chief merit is that the lobsters when they get into the parlour trap stay there, although, of course, I suppose some of them get out.

Q. But in the event of your not being able to fish your traps every day you think it holds the lobsters better than the old style of trap did?—A. Yes.

Q. What mesh do you allow in the nets in the end of the trap?—A. I suppose it is about 4 inches.

Q. But that would let a pretty large lobster out, would it not?—A. No, it is not 4 inches, it is about 3 inches, but I never measured them in fact.

Q. What space do you allow between the slats?—A. We do not pay any particular attention to that, we just nail them on. .

Q. Has the space been narrowed down? Is it as much as it used to be a few years ago?—A. It is wider with some now, just according to the man who makes the trap and whether he knows how to make it right.

Q. Would you expect to find more berried lobsters at any particular part of the season than at any other time?—A. Yes, I think so, at the last part of the season when we get close in to the rocks in shoal water, we get more berried lobsters.

Q. You begin fishing here generally about the 10th of May?—A. We very seldom commence before that, and we have sometimes started later, and I think on one occasion we started on the 1st.

Q. And you fished up to the end of the season?—A. To the end of July.

Q. Is it the practice to fish right up to the close of the season?—A. Sometimes the factory closes up before that, and sometimes it does not.

Q. Why do they close down before the end of the season, is it owing to the diminished supply?—A. Oh, I do not know, the lobsters are not quite as plentiful and an odd fisherman drops off and goes to the herring fishery and so the canneries close down for their own convenience.

Q. Has the other fishery commenced at that time, what we call the deep sea fishery?—A. Oh yes.

Q. Are there any men who stick to the deep sea fishery and do not fish lobsters?—A. Yes, there are men who do that; there is one man here to-day who does that.

Q. Now as to the matter of price, what has been the prevailing price paid for lobsters here within your recollection?—A. When I first started lobster fishing as a boy with my father I got 80 cents a hundred, count, I think, and when this factory came here first they gave 50 cents; of course nobody could pay for their gear scarcely or make a living at that price, it was a starvation price and people began to drop off. Finally the lobsters came up to \$2.50 but even then they could not begin to live at that price because the lobsters were scarcer, and then the canneries began to take them by weight. We got \$3.75 the summer before last, and this last summer they cut us down to \$2.75.

Q. What was the highest price you ever got?—A. \$3.75.

Q. And this year you received?—A. \$2.25. they cut us down to that and we had to furnish our own gear and boats and bait and everything, so that you can see no man could exist on that.

Q. What is the average catch of a good lobster fisherman, how much does he make in the season?—A. This year I made about the best catch around here, I do not know but that we fished more traps than a good many of them, some do not have a hundred traps, but I think that the average perhaps would be 100 traps right through, and I think this year with two boats and three men we got 7 ton.

Q. How is the arrangement made between the fishermen and the canner, who fixes the price of the lobsters?—A. The packers always fix the price and they fixed it so that they kept it down pretty good until we got the Union and then we made the

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price ourselves. They gave us what we asked on one or two occasions, but last year they would not give us that, they said they would either close their factories or else we would have to fish at the price they offered.

Q. At what time of the year do you make your arrangements as to the price to be paid?—A. Sometime during the winter.

Q. Are the fishermen usually paid for their lobsters in cash?—A. In cash.

Q. It is entirely in cash?—A. Yes, that is as near as anyone can get it.

Q. Is there any competition in the matter of price, or are you forced to accept a certain price?—A. We are forced to accept it.

Q. If there are two canneries running is there any difference in the price?—A. Not at all, they are always together, you are supposed to take that price or else give up altogether, so that if you have your gear ready you are in a hole.

Q. Do you know about the price paid by other canners in the neighbourhood?—A. No, we understand that to the westward they get more than we do, they always have up to last year.

Q. Now, as to the matter of licensing, you know that the practice of the Department has been to try to keep down the number of canneries, there were more at one time than there are now; what is your idea about the whole system of licensing, do you think that anyone who wants to can should be allowed to do so?—A. I think that every fisherman should get a license to can if he wanted it, that is if he had the necessary capital to back him up.

Q. The Minister has, with the hope of avoiding friction between the canners and the fishermen, during the last couple of years decided to issue licenses to what is called "Co-operative canneries," are there any of those canneries here?—A. No.

Q. What do you think of that as a means of overcoming the difficulty between the canners and the fishermen?—A. Of course the idea is allowing what they call co-operative licenses was that in any place where there is friction between the packers and the fishermen a number of fishermen could band together and pack under the co-operative license on their own account?—A. That would be all right provided they had the capital to go into canning, but of course if they had not it is a different thing.

Q. What is your opinion about the whole business of issuing licenses for canning purposes?—A. I think if the fisherman had the capital and wanted to can his own lobsters he should get a fair show to do so.

Q. He would have, of course, to make application himself for the license?—A. Yes, give him a chance.

Q. Do you think every man who applies should be given a license to pack?—A. No, not unless he has the necessary capital, everybody should not be allowed to get a license.

Q. Would not a number of fishermen, if they clubbed together be more likely to possess the necessary capital than an individual fisherman?—A. I have no doubt they would.

Q. Do you think that any standard should be adopted, that we should insist on the packing being done in a certain way, that there should be a standard cannery, with tables arranged in a certain way and covered with proper material?—A. I do not know about that, but I suppose that the cleaner the work is done the better; I haven't any experience in canning. I never worked at that.

Q. The idea is that supposing licenses were issued to everybody who applied we should have some check upon them, do you think it would be wise in that case to exact a certain standard and to require that the cannery must be up to a certain fixed standard?—A. I do not know, of course these Main-a-dieu men have the best of it anyway, and a poor man would have no chance whatever if there was anything very big required.

Q. The object of the Department of course is to get the best we can for the fishermen and the object of this commission is to get from the fishermen how that

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can best be done?—A. I have no doubt that everything about the cannery should be tidy and clean.

Q. Has there ever been any attempt made to carry on the fresh lobster industry here?—A. On one occasion a boat came here from Boston and took the fresh lobsters, she made a trip or two but that is all I know about it.

Q. Do you know anything about the result of that effort?—A. The first time I understood they did very well, but the next time the lobsters were dead when he arrived at market, he lay too long in some harbour on the way.

Q. As to the method of providing for the female lobster, what is the best thing to do with her?—A. My idea is to have her thrown overboard and let the fishermen be paid for her.

Q. How would you keep check of that?—A. There is no check at all needed except to punch the tail of the lobster, and if you caught that lobster again it would not have to be paid for.

Q. Do you not think that would require a very large staff of men?—A. Not at all, it would only cost about one-half what it is costing to-day and by that method the ground would be replenished, which it is not to-day.

Q. But why should the lobster fishermen be paid for observing the law? The fishermen must recognize the necessity of protecting the berried lobster?—A. But every man is not of the same mind, one man may put them overboard and the other man may wash them off and take them to the cannery.

Q. The percentage of berried lobsters now caught is not very large, and it would not seriously cripple the fisherman if he made up his mind to put the berried lobster back in the water it is to his own interest to do so?—A. No it would not cripple him seriously, but the government has just as good right to pay us for the seed lobsters we catch if we put them overboard as it has to pay H. E. Baker 16 cents a piece for the lobsters in his pound; if the government likes him so well as to pay him 16 cents for the lobsters he gets from us at a much less price, they ought to like us well enough to help us out too.

Q. That was only an experiment and whether it will be continued or not I do not know. What do you think of the method of preserving the berried lobster in pounds?—A. I do not think it is any good at all.

Q. What is the objection to it?—A. The lobsters are half dead before they leave here, I have seen them half dead myself. We have to care for these lobsters, I generally slip in some food to them, but we have to care for them and keep them until the smacks call for them, and they are often left on the dock in the hot sun, and I understand that half of them die before they are put in that pound or very soon afterwards.

Q. Supposing the pound were owned by the Department of Marine and Fisheries and the collection made by their own officers how would it be likely to work out when run in that way?—A. I do not know about that.

Q. Do you know anything about lobster hatcheries?—A. No; and I do not know anything about the pounds either, only what I have heard; but that is why we have come to the conclusion that it is no good. I think the mother lobster crawls into the rocks and spawns, and that it takes care of the young lobster until it comes to maturity.

Q. Before it became the practice to sell the berried lobster to the pound, what was generally done with her?—A. She was generally brought in and sold to the factories.

Q. Just as she was; they made no distinction against berried lobsters at the factory?—A. None whatever; they all went together.

Q. How does the fishery now compare with what it was when you first began lobster fishing?—A. The lobsters are scarcer.

Q. Are they decreasing in size; has the average size gone down, too?—A. I think it has.

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Q. Is there much more gear in use now compared with when you began?—A. Oh, yes, 10 to 1, I guess.

Q. Do you think it would be possible to limit the amount of gear? They limit the number of canning licenses, but they do not limit the amount of gear fished?—

A. It is no use to limit the amount of gear, because each man wants to get as much gear in the water as he can in order to catch as many lobsters as he can.

Q. But supposing that there is so much gear and the number of fishermen is so great that the lobsters cannot stand the strain?—A. Oh, that wouldn't work at all, I think.

Q. What do you think of the proposition to license the fishermen? You know it has been proposed to the department by some, and we have heard it suggested while taking this evidence, that the fishermen should be licensed?—A. I do not know what for.

Q. With the idea that they would be more careful, and that they would be a check upon each other; each fisherman would be in the position of being nominally a fishery officer, and therefore the law would be better observed. If it were found that a certain fisherman continually violated the law, he might lose his license and not be allowed to fish lobsters. That is the idea of those who make the suggestion. What effect do you think it would have on the fishermen; do you think it would make them more careful?—A. I do not think so, not a bit. If the fishermen are kept down so that they cannot make wages, they will do almost anything. I know I would myself, anyway.

Q. Have you any idea what branch of the lobster industry is the most remunerative to the fishermen—selling to the live lobster trade or to the canner?—A. I understand that selling for the live lobster trade is the more remunerative.

Q. Do you think that the individual fishermen would make more money if he were allowed to can on his own account?—A. I think he would; I think he would do better than \$2.25; we cannot live on that.

Q. A number of suggestions have been made with a view of re-establishing the lobster fishery. The first one was to have a universal close season, all over the coast, for a term of years. What would you think of that?—A. I do not think anything of it, sir.

Q. Why?—A. Because when we are carrying on any business we want to continue it; we do not want to stop.

Q. But supposing the position is that the business is being ruined, that the lobsters are being exterminated from some cause or other; you know that it has gone down from some cause or other?—A. It has gone down, but still some years you find the lobsters plentiful.

Q. You would not approve of that proposition then?—A. No.

Q. The last Lobster Commission recommended the shutting down of certain areas on the coast, and moving those areas around gradually until the whole coast had been covered, stopping the lobster fishing in one section whilst it continued in the other sections?—A. That would not work very well. What would the fishermen do in the district which was closed down?

Q. Another suggestion is that the season be shortened by, say, a couple of weeks at the end?—A. I do not think it could be better than it is; it is very good as it is now.

Q. Others again have suggested doing away with the size limit altogether, and making it legal to catch lobsters of any size, always saving the berried lobsters?—A. My idea is to do away with the size limit altogether, or give us a 7-inch limit and enforce it. I would rather have the last.

Q. Could it be enforced?—A. I do not think there would be any trouble about it.

Q. Formerly, if you remember, we had a 9-inch limit, and the fishermen said: 'Give us an 8-inch limit and we will live up to it.' They had not been observing the

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9-inch limit. They were given the 8-inch limit, but that has not been enforced; it did not work out as they said it would. Now, would a 7-inch limit be enforced any better than the present limit is? The 8-inch limit has not been observed any better than the 9-inch limit was?—A. I do not know anything about that.

Q. It was 9 inches when you first began fishing?—A. It was 9 inches, but if you throw away all below 7 inches you will find that there are a good many now below that size; and you want to remember that they keep all sizes now; but I do not want to keep any below that size now if other people do not. Of course, if others are going to keep the small lobsters, why I am going to do the same.

Q. Is there any other statement you would like to make? I do not know that there is anything else I have to ask you; but if there is anything I have not touched upon, or if you have any further views to offer, or any suggestions to make with reference to the lobster fishery, I will be glad to hear them, and they will be duly recorded and submitted to the committee?—A. There is nothing further that I would like to say. I think I have given it to you about as good as I know how.

Witness discharged.

GEORGE W. DICKSON, fisherman, Main-à-dieu, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster industry?—A. About 18 years.

Q. Have you always been fishing in this place?—A. Always here, yes.

Q. Do you carry on fishing generally, are you a deep sea fisherman?—A. No.

Q. Then you confine yourself to lobster fishing?—A. Yes.

Q. Do you own your own boat and gear?—A. Yes.

Q. You fish in a two-handed boat, I suppose?—A. I have a boy with me generally.

Q. How far off shore do you fish?—A. About a mile, in the spring.

Q. In what direction do you set your traps?—A. To the southward.

Q. When do you begin, one season with the other, what is about the time you begin fishing?—A. The 10th or 12th of May.

Q. What is it prevents you from fishing earlier?—A. Ice.

Q. What is your average percentage of loss in traps, one year with the other, do you lose many traps during the year from ice?—A. We lose quite a number. This year I lost about one-half of my traps, generally we lose about one-fourth.

Q. What is the life of a trap generally?—A. I have used them for four years sometimes.

Q. What do you consider the traps are worth? What do they cost for the trap and gear?—A. You mean for the rope and all, the trap complete?

Q. Yes.—A. About 50 cents.

Q. How many traps do you generally fish?—A. 80.

Q. What style of trap do you use?—A. The parlour trap.

Q. You begin to fish about the 10th of May and you say you fish out about a mile off shore, in what depth of water would that take you?—A. 5 or 6 fathoms.

Q. It is shoaly. A. Sometimes in the spring we fish where there are 8 fathoms of water.

Q. How long do you fish out in that water?—A. Up to about the first of June.

Q. Then what happens?—A. We move our traps in as the lobsters come into the shore.

Q. Into how shoal water?—A. 2 or 3 fathoms.

Q. And what style of traps do you say you use?—A. The parlour trap.

Q. Have you always used that style of trap?—A. No, I have used that style of trap for 5 or 6 years, I suppose, I do not remember the date I commenced to use them.

Q. And before that you used the old fashioned double end traps I suppose?—A. Yes.

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Q. Do you make your own traps?—A. Yes.

Q. What space do you generally leave between the slats?—A. About $\frac{3}{4}$ of an inch.

Q. Have you narrowed that space down in recent years, or did you always make it the same?—A. Oh, it has been narrowed down.

Q. With what idea did you narrow it down?—A. To catch the smaller lobsters, of course.

Q. What proportion of all the lobsters that you catch would you say are below the legal size limit of 8 inches?—A. About 20 per cent.

Q. Is that percentage greater at the end of the season or at the beginning of the season, or when is the percentage the greatest?—A. I never see much difference.

Q. And as to the berried lobster what percentage would you say they run to, how many berried lobsters would you get in a hundred?—A. They would run about 4 per cent.

Q. Do you find more of them in any particular part of the season than you do at any other part?—A. We get more of them late in July when the weather is fine.

Q. And do you find more of them when you are fishing inshore than you do when you are fishing in deep water off shore?—A. Yes, we always get more then, and in fine weather in particular.

Q. What do you think is the spawning season of the lobster?—A. Well, in August I would suppose.

Q. Is there any time in the season when the lobsters are not fit to take for consumption?—A. I do not think they are that way at any time.

Q. There are certain times when the lobsters are called 'soft shell'?—A. I do not catch them much, I have seen them but the time for them has not arrived this year yet.

Q. Could fall fishing be carried on here?—A. I think it could.

Q. Did you ever do any fishing in the fall?—A. I never did.

Q. When you first began fishing how long did the season last?—A. The same season that we have now.

Q. In early years they began fishing in August?—A. They allowed them to fish after the 1st of January.

Q. Of course the time to commence fishing is governed by the conditions, you could not do that here?—A. We never fished here before the first of May.

Q. And not after the 1st of July?—A. No.

Q. Not even when it was permissible to do so?—A. No.

Q. Why was that, was it because there was other fishing to take to?—A. Yes.

Q. When they first began lobster fishing there were no restrictions, you could fish when you pleased?—A. I know that.

Q. When did canning first begin here within your recollection?—A. When my recollection first began I was not living here.

Q. Who did you sell your lobsters to this year?—A. To the Robert Simpson Company.

Q. Were they operating here?—A. I delivered to their smacks here.

Q. Before that where used you to deliver your lobsters?—A. To Burnham & Morrill's factory, I always fished for them until this year.

Q. Now as to the matter of price, how is that arranged, who fixes the price to be paid for the lobsters?—A. The packers.

Q. Has that always been the case?—A. Except this last three years when the Union fixed it.

Q. What was the price last year?—A. \$3.75.

Q. And the year before what was the price?—A. \$3.50.

A. And the year before that again?—A. \$3.50.

Q. So that the last year you came up 25 cents per hundred pounds?—A. Yes.

Q. When you first began to fish you sold by count, I suppose?—A. By weight.

Q. Was it always by weight in your time?—A. Always in my time.

Q. Then this year what price did you get?—A. \$2.25.

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Q. What happened this year—of course we understand there was trouble between the canner and the fishermen here—how did the trouble begin?—A. It began this spring.

Q. Some time before the fishing commenced, was it?—A. Yes, I cannot exactly tell you the date it started.

Q. And you found then that they were only offering?—A. \$2.25.

Q. And that price would not suit you?—A. It did not, we could not live on that price, and fish for it.

Q. Tell us in your own words the history of the affair?—A. I do not know that I can exactly tell you. They put the price down to \$2.25, and they told us we could either take it or leave it, and of course we had to fish for it or else stop fishing.

Q. And the canneries were closed down?—A. The canneries were closed down.

Q. And was it some time before anybody else came in to buy here?—A. No, it was right away—well it was within a week or ten days afterwards.

Q. And then the Roberts, Simpson Company's smack came up here?—A. Yes, from Louisburg.

Q. And did that smack continue to take all the lobsters that were caught here?—A. They stationed a man here after that, and he took some of our lobsters.

Q. How many boats were fishing here?—A. Only about half a dozen.

Q. Is that the usual number?—A. Yes.

Q. There are more than that fishing lobsters out of this harbour are there not?—How many boats under ordinary circumstances are fishing lobsters from here?—A. I can hardly tell you how many boats there are usually fishing lobsters from this part of the harbour.

Q. I mean for these two factories?—A. About 30 or 40.

Q. Did they all fish this year?—A. I think so, except 1 or 2.

Q. Did they go into other fisheries?—A. Moved away.

Q. Has it been your practice to fish right up to the close of the season, towards the end of July?—A. Within 8 or 10 days?

Q. You generally knocked off before the season closed up?—A. Very often we get our traps smashed up and it does not pay to put them out again.

Q. And do the lobsters slacken up towards the end of the season?—A. Of course they are getting scarce.

Q. Do you think that, taking one season with the other, you get a larger percentage of small and berried lobsters at the close of the season?—A. I do not know about the large or small lobsters, but of the berried lobsters we do.

Q. What is the smallest sized lobster you ever noticed carrying berries?—A. About 8 inches, I think, but I never measured them.

Q. As a rule what size of lobster do you find the berried lobster to be, is it a fair-sized lobster?—A. A fair size.

Q. Have you any idea how the lobsters run to the pound can in the factory here?—A. I never worked in the factory.

Q. Do you think that the parlour trap is any more destructive to the young lobster than the old-fashioned trap was?—A. It gets more of all sorts.

Q. That is that it holds on to them better when they get inside?—A. Yes, and therefore it must be more destructive.

Q. Do you think that by regulating the space between the slats in the trap, by fixing it say at one inch that a fair proportion of the small lobsters would be allowed to escape?—A. I do not think that would be any good.

Q. Why do you think that?—A. Because it would be almost impossible to have the slats at an equal distance apart.

Q. But in building the traps is it not usual to have a certain gauge by which to space the slats?—A. It is pretty hard to tell what gauge it should be.

Q. As to the matter of licensing canneries now, there was a time, as you probably know, when anyone that applied for it was granted a license, that was in the beginning.

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and it was thought then that the thing was being overdone, a good many went into it and overdid the thing, and finally the Department restricted the number of licenses in the interests of the industry. What do you think of that, do you think the number should be restricted?—A. No, it should not, anyone who is able to show that he has capital enough to run a factory should get a license.

Q. How much capital do you think the party should be able to show?—A. I cannot answer that question.

Q. How would the Department be able to establish the ability of the applicant to run a factory?—A. Let him deposit a certain amount of money with the Government.

Q. It has been suggested that the most reasonable way to regulate that matter would be to set up a standard, to require that the cannery which the applicant would put up would be up to a certain standard, it need not compel him to fish too many lobsters but he might be required to have a certain equipment. Do you think it would be proper to insist upon a certain standard equipment, that the tables should be constructed and covered in a certain way, that it should be kept absolutely and scrupulously clean and that it should be covered with glass, marble, zinc, or something of that kind, so that it could be easily cleansed?—A. Of course the cleaner the tables are the better.

Q. We see a good many canneries in the course of a season that seem to have very miserable tables on which to have the meat spread out, sour, foul smelling and not always very clean. Do you think that the product of the canneries, that is the canned article should be subject to inspection?—A. I cannot answer that question.

Q. Of course you know that most of the food products, canned meat of various kinds and other similar articles of food are inspected nowadays?—A. Yes, I know they are.

Q. Then why should the canned lobsters be exempt from similar inspection?—A. They should be compelled to put up good meat.

Q. What has been your practice with regard to the undersized and the berried lobsters, did you expect the canneries to take everything you brought them?—A. They mostly do.

Q. That is of recent years?—A. Except the one year that has been referred to they did take them.

Q. And in that one year what did they do?—A. They threw away all the small lobsters under 8 inches.

Q. That is they would not take them?—A. They would not take them.

Q. And did that make much difference in the earnings of the fishermen that season?—A. About 15 or 20 per cent—that is, it made that difference to me.

Q. What does the average catch amount to, how many tons?—A. About \$200, that is one year with the other, but of course this year I only get \$80

Q. This year you were late in beginning?—A. Yes.

Q. And it was poor fishing?—A. Yes.

Q. And you also lost your traps?—A. Yes.

Q. Would you suggest any change in the present regulations? What would you suggest as to the proper change to be made, we want regulations that can be observed and that may be enforced? Now what should those regulations be—of course you know that the present regulations are not enforced and cannot be enforced?—A. I am quite aware of that; I do not believe there should be any size limit at all, but that we should carefully look after the berried lobster.

Q. Do you think that we can regulate, partially at any rate, that matter of size limit by exacting a certain space between the slats in the trap?—A. I do not think we can at all, I do not think it would make any difference.

Q. Why do you think it would not make any difference? Is it that the lobster would not go through the space, or would it be too hard to follow the fishermen in the matter?—A. It would be too hard to follow the fishermen in the matter.

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Q. But if he could be followed do you think it would make any difference?—A. No—well, I suppose it would make some difference.

Q. Do you think it would be possible to adopt for the fishermen the practice followed by the Department of Agriculture which sends around men to lecture to the farmers on the best methods of cultivating crops and raising stock and all that sort of thing. Now, do you think it would be possible in any way to persuade the fishermen to observe the regulations, especially in regard to the berried lobster, by sending men around to talk to them? I think there is a general feeling all around the coast, on the part of the fishermen, as far as we have been able to ascertain from the evidence given, to protect the berried lobster?—A. They have thrown the berried lobster out the last two years here.

Q. Does that mean a very serious loss to the fishermen?—A. It means some.

Q. But if the percentage is not more than 4 per cent of the catch it could not amount to very much?—A. It would not be very much.

Q. Do you not think it would benefit them very much in the end if all the fishermen threw the berried lobsters back into the water?—A. If the fisherman lived long enough it might benefit him.

Q. Well, how long would he have to live? An 8-inch lobster is supposed to be 3 years old?—A. I can't answer that question.

Q. What do you think of these various propositions that have been made as a remedy for the existing state of affairs? You have heard what the propositions are, one of them is that lobster fishing should be closed down altogether for a term of years, what do you think of that?—A. I think it would be very hard on the fishermen.

Q. Well, what do you think of the proposition to close down by sections, give each part of the coast a close season in turn, allowing the fishery to continue in the other sections?—A. That would be about the same; but let me understand, could the fishermen from the section which was closed down move into the other section which had an open season and fish there?

Q. That is the proposition which was made by the Lobster Commission of 1898, did they not come here?—A. Yes.

Q. Well, that is their proposition, what do you think of it?—A. I do not think it is any good.

Q. Then it has been suggested that the size limit should be done away with; that the protection of the berried lobster should be insisted on rigidly, either by getting the fishermen to put her back again in the water or by purchasing her from the fishermen and taking the eggs to a hatchery, or something of that kind; and that in return for doing away with the size limit that the department would shorten the season a little?—A. I think it is short enough as it is.

Q. In some sections, you know, there are other fisheries to turn to, and it is generally admitted, and you say so yourself, that it is at the tag end of the season the damage is done. That would be the least hurtful of all the propositions, would it not?—A. I think so.

Q. What do you think of this matter of pounds?—A. Well, I have never seen one, but I do not think they are very good.

Q. You think that the seed lobster suffers between the time it is taken out of the trap and the time it reaches the pound?—A. Yes, they say she does.

Q. What would you think of a hatchery?—A. I have never been where there has been one.

Q. But you have heard about them, I presume?—A. Yes, but I do not think they would be very much good.

Q. You do not?—A. No; I do not think it is a good thing to take the spawn off the lobster.

Q. Well, it is known for a fact that 98 per cent of the eggs have been hatched out when they were carefully taken off the female. Do you not think that a certain

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percentage of the young lobsters would survive, at all events?—A. I have no knowledge on the subject.

Q. You would prefer to have the berried lobster put back in the water direct as being the most natural and practical method of preserving her and the least hurtful?—A. Yes.

Q. How could we go to work to get that done do you think?—A. Pay the fishermen for the seed lobster.

Q. But then you would have to have them brought in all the same?—A. Yes; but they should be taken right out and dropped in the water again.

Q. Then the department would have to have a man stationed at every place where the fishermen came in to receive them?—A. Certainly.

Q. You know nothing about the live lobster business?—A. No.

Q. You have never engaged in that business, or been where it was carried on?—A. No.

Q. Do you think that the live lobster business is the most profitable to the fisherman where it can be carried on?—A. I guess so.

Q. If you had better transportation facilities, cold storage and rapid transit, do you think it could be entered into profitably?—A. I think so.

Witness discharged.

Mr. J. W. MADDIN, M.P.—Some fishermen I have talked to, from time to time, raise the objection to the lobster pound that in the distribution of the lobsters from the pound preference is given to those districts that require them most. The fishermen from other places say that the waters that are depleted by the carelessness of the fishermen who take the berried lobsters are being replenished at the expense of those districts where the fishermen are careful to save the berried lobster and send her to the pound. They say that by doing away with the pounds and inducing the fishermen to throw the berried lobster overboard when she is found in the trap, they are preserving their own fishing ground, and the fishermen who observe the law get the benefit of it, so a motive is furnished for obeying the regulations.

The COMMISSIONER.—No doubt putting the berried lobsters back into the water they came from is the most effective method of protecting and preserving them.

Mr. MADDIN.—There is one other matter I would like to refer to. A gentleman wrote me that the Dominion Coal Company have a line of boats running from Louisburg to Boston, and that it would be a matter of very little expense to fix up a fish tank on the deck of those boats. I think it would be worth while for the government to inquire into the matter with the company, as those coal boats run regularly; and I think at a very small cost arrangements might be made by which the fishermen on this coast could ship their lobsters from Louisburg to Boston.

HUGH FERGUSON, fisherman, South Port Morien, called and sworn:—

By the Commissioner:

Q. You are a lobster fisherman?—A. Part of the time.

Q. When you are not engaged in the lobster fishery what do you do?—A. I have worked for fourteen years in the cannery, and about ten years in lobster fishing.

Q. When did you last work in the cannery?—A. About ten years ago.

Q. In what place did you work?—A. Madden's Cove.

Q. Well, now, as to the lobster fishing first; from what port do you carry on your fishing?—A. Port Morien.

Q. How far off shore do you fish there?—A. Off the headlands.

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Q. In what depth of water?—A. Sometimes we go as far as ten fathoms.

Q. Does the water deepen rapidly there?—A. No.

Q. How far off shore are you when you fish in ten fathoms?—A. There is not a great distance of shoal water there.

Q. Do you fish all the season on the same ground?—A. Except when we move in.

Q. When do you move in?—A. That is according to the season.

Q. You move in because the lobsters are getting scarce outside?—A. Yes.

Q. What sort of a bottom do you fish on?—A. A rocky bottom.

Q. I suppose you find it is more profitable to fish on that bottom than it is on a soft muddy bottom?—A. There is not much profit in fishing on a soft bottom.

Q. How is the fishing now compared with what it was when you first began fishing?—A. It is away down.

Q. You have to fish more gear in order to get the same amount of lobsters?—A. Oh, a lot more.

Q. When did you first notice that decrease?—A. I suppose it has been gradual.

Q. The decrease has been gradual?—A. Gradually, I suppose.

Q. Is the decrease both in quantity and in size?—A. I do not think there is any decrease in size.

Q. The decrease is not so much in size?—A. I do not think so.

Q. How do they run with you, are there many lobsters below the 8 inch limit?—A. There are a few, not a great many.

Q. What cannery do you deliver your lobsters to?—A. Leslie & Co.

Q. That is Leslie & Co. of Halifax?—A. Of Halifax.

Q. Is their cannery in Port Morien?—A. They have two, one at South Port Morien and one at Morien.

Q. Have they been there very long?—A. For a number of years.

Q. Ever since you have been fishing?—A. Yes.

Q. There was no cannery in existence there before them?—A. Yes, sir.

Q. Who were the canners there before them?—A. L. Pickard & Co., Boston.

Q. Do you belong to the Fishermen's Union?—A. Yes.

Q. All these gentlemen who have given evidence here belong to the Union?—A. Yes.

Q. What is the number of your union?—A. No. 14.

Q. And how long has it been in existence?—A. Three years.

Q. Are there many other fishermen fishing out of the same port with you?—A. Out of the same bay, yes, sir.

Q. What number of boats would you say there are?—A. There are 40 members belonging to that Union.

Q. That covers practically all the Union?—A. Yes, that takes all the Union, they all belong to it.

Q. Do they all fish lobsters?—A. Yes, sir, all of them.

Q. Now as to the size, you say you get very few undersized lobsters?—A. We do get some.

Q. What has been the practice with regard to the small lobsters?—A. We take them to the packers.

Q. The packers take them all?—A. Yes, anything at all.

Q. And the berried lobsters too?—A. Yes, berried lobsters and everything, until we protected them ourselves.

Q. That was understood to be one of the principles of the Union, to protect the berried lobster?—A. Yes, sir.

Q. And since that principle was adopted you have been doing what?—A. We have been putting them overboard.

Q. I suppose all the fishermen own their own boats and gear?—A. Yes.

Q. It is not the practice here for the packer to supply the gear and boat?—A. Not just now, I don't think.

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Q. Was it ever the practice?—A. Oh, yes.

Q. In a great many places we have been we found that all the gear is owned by the factory, and in that case the men who fish lobsters are generally farmers, and people who come in from the country, but you have not any of that class of fishermen here, they are all regular fishermen?—A. No, we have not any, but we will soon have them I guess the way things are going.

Q. How does the price paid for lobsters now compare with the price paid when you began to fish?—A. The price is better now than it was when I began to fish, but still a man cannot do very much with it just now.

Q. That is owing to the low price and the scarcity of lobsters, then you got a very much larger quantity of lobsters, and though the price was lower you could get them much more easily?—A. Yes.

Q. Are you fishing more gear now than you did then?—A. Two men fish 180 traps.

Q. And when you began how much did you fish, did you fish as much gear?—A. No, not quite as much.

Q. How does the trap you use now compare with that you fished with at first?—A. It is an improved trap.

Q. That is that it holds the lobsters better?—A. I think so.

Q. Do you make as large a mesh in the net now as you did then and do you allow as much space between the slats at the end?—A. Yes, sir.

Q. What space do you allow?—A. About enough to keep the lobsters from getting out.

Q. You do that pretty thoroughly now, but you were not so careful about keeping them in in the beginning?—A. I think so.

Q. You did not catch as many small lobsters then?—A. I think so.

Q. Did you catch as many small lobsters when you began with the old fashioned trap?—A. I think so.

Q. I think the practice then was to allow a much wider space than you allow now?—A. I do not think there was much difference in the trap.

Q. What would you think of this proposition to license the fishermen, is there anything in that?—A. It would give them a chance to live.

Q. You mean the licensing of the canner, I am referring to the proposition to license the fishermen. It has been suggested to the department that the best way to get the law observed would be to license the fishermen, who would have to take out a form, paying a small fee for it, or perhaps no fee at all. The idea being that the licensed fisherman would be more apt to observe the law and to inform on others who violated it. Do you think it would have that effect?—A. I do not think it would be of any benefit at all, I do not think it would.

Q. As to the matter of the price paid for the lobsters, how is that arrived at? What arrangement is there about that, is there any competition between the canneries, and if you sold your lobsters to one cannery could you sell to another, or how does it stand?—A. The canner gives just what he pleases for the lobsters.

Q. You are obliged to take what he offers or leave it alone?—A. Take that or leave it alone.

Q. Has that always been so?—A. No, it has not.

Q. Was there more competition in times past than there is now?—A. I think so.

Q. Why is that so?—A. I do not know, I cannot tell you that.

Q. Do you think there is any distinct combine on the part of the canners to keep prices down?—A. It looked very much like that this season.

Q. What did you get this season for your lobsters?—A. \$2.25 for the most of them.

Q. For the most of them?—A. Well, you might say all, at the last they paid \$2.50.

Q. They raised the price at the end?—A. Yes.

Q. What led them to raise the price?—A. I guess their conscience bothered them.

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Q. That does not often bother people in business matters. What did you get last year?—A. \$3.75.

Q. That is by weight?—A. By weight.

Q. Did you always deal with them by weight or was it by count at one time?—A. When I first started years ago, I think it was by count for a few years and then they changed it and it is by weight now.

Q. I suppose that when the lobsters began to get smaller the packers would not take them by count?—A. I think it was the fishermen wanted it by weight.

Q. What do you think is the spawning season of the lobster?—A. I can hardly say that.

Q. Do you not notice that the eggs are getting ripe towards the end of the season?—A. Towards the last of the season they are.

Q. Do you see more spawning lobsters towards the last of the season than you do in the first part?—I think there are more towards the last.

Q. Do you think that they come inshore to spawn?—A. I do not know, but I guess they do.

Q. Have you ever fished in the fall?—A. No.

Q. How is the present close season observed?—A. Pretty well.

Q. Is there any canning at all done during the close season?—A. Not around our way.

Q. Not after the close of the season? In some places we found they did a little canning after the season?—A. In some places they may, but not here.

Q. What proportions of the total catch is berried lobsters do you think?—A. About 4 per cent.

Q. Is it a very serious loss in the earnings of the fishermen, do you think, to return those seed lobsters to the water as fast as they are taken out of the traps?—A. I do not think so.

Q. It does not involve a very serious loss to him?—A. No.

Q. Has the practice of stripping or washing the eggs off the berried lobster ever been followed here—I suppose there is no need of doing it where the packer takes them?—A. Some may have done it on the sly.

Q. Has the canner to your knowledge ever objected to taking the berried lobsters, or has he taken everything brought to him?—A. He has taken everything brought to him.

Q. That is up to the time you commenced to save them yourselves?—A. Yes.

Q. Then the regulations were never observed within your recollection, or was it always the same?—A. Always the same from the start to the finish.

Q. Now as to the matter of licensing, what do you think should be done? The department is anxious to do what is right in the matter, and, as you know they have restricted the number of licenses in the hope of preserving and protecting the fishery, not with the idea of favouring any particular corporation or person. Do you think that every man who applies for a license should get one?—A. It would be just as well, and it would be better.

Q. Do you think that every fisherman could make more money if he undertook to can on his own account than he could by selling his lobsters to the cannery?—A. I think so.

Q. How would you regulate that matter, you could hardly give a license to every individual that applied?—A. I suppose not.

Q. You would have to have some check of some kind, what check would you put on it?—A. In what way?

Q. How would you establish a man's fitness to can or pack lobsters?—A. In some places I think five or six fishermen could get together and pack their own lobsters.

Q. That is the policy of the Department, to issue co-operative licenses to the fishermen who band themselves together for that purpose. Has that been tried in your case?—A. No, sir.

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Q. Have you ever thought of trying it?—A. Yes, I think some of the fishermen are thinking about it now.

Q. You have to think of that in time to get your building erected and to procure your license, so that you will know what is ahead of you. Do you think that the determination of the department to issue co-operative licenses affords sufficient relief to the fishermen, who complain that they are being cramped and kept down by the canner? Does it give them a fair show when the department says: 'If you think you are not properly treated, you can club together and we will give you a co-operative license to can lobsters'? Do you think that offers relief enough?—A. These people might engage in it here, but there are districts where the fishermen could not engage in it.

Q. If there are a number of fishermen at any place they would have the same opportunity of clubbing together, if they desired to do so, in one place as another. They might not be all equally well off, but they would all have some capital?—A. Yes, of course.

Q. Do you think we could fix any standard, that we might insist that the factory must be up to a certain standard?—A. I think some of them are in very poor condition to-day.

Q. How? As to cleanliness of the gear and plant?—A. Yes.

Q. That is one of the things that has been suggested, that we should insist upon the tables in the cannery being prepared in a certain way, that the fishery officers should be inspectors to see that the requirements are lived up to. Do you think that could be done?—A. I think so.

Q. Do you think that the product of the cannery, the packed article, should also be inspected?—A. I think it should be inspected.

Q. Do you think that the existing staff of fishery officers would be competent to carry on that inspection, or would it require trained men?—A. I think there are too many fishery officers now for what good they do.

Q. Have you many in your neighbourhood?—A. There is one here and there all over the country.

Q. Do they visit the canneries and check them?—A. Once in a while they visit them, but I do not know that they have done any checking, though.

Q. You think they have made no attempt to enforce the regulations?—A. No. Oh, sometimes, just for the fun of it, they might.

Q. Do you know anything about the live lobster trade; have you ever done anything in that line?—A. I think it would be a benefit to this part of the country.

Q. That could be developed, of course; there is a great deal required. You want cold storage and rapid transit facilities for getting to the market?—A. Yes.

Q. What do you think of this matter of lobster pounds; have you had any experience at all in that connection?—A. I do not think they are any good.

Q. What is your objection to them?—A. I think it is just a waste of the country's money for nothing.

Q. Do you know anything about lobster hatcheries?—A. I have heard about them.

Q. Do you think they are any better than the pounds?—A. I think the lobsters are best left to themselves to hatch out their young in the natural way.

Q. There is no doubt about that, but do you think it would be of any benefit to the fishermen to establish a hatchery?—A. I think the fishermen should be paid for the spawn lobsters, and that the lobsters should then be let go on the grounds from which they are taken.

Q. How would you propose to check the seed lobsters?—A. By marking the lobster—punching the tail.

Q. Do you know whether this is done anywhere else?—A. Not in this part of the country, I believe.

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Q. Do you think it is right that undersized, immature lobsters—the lobster is supposed to reach its maturity at 8 inches—do you think it is right that undersized and immature lobsters should be destroyed at any time?—A. I think that if the size limit were brought down to 7 inches there would not be very much trouble.

Q. Do you think that the fishermen would be much more careful in observing the law with a 7-inch limit than they are with an 8-inch limit?—A. I think so. I think that if the size limit is placed at 7 inches, there would be very few taken under that size.

Q. Some people have suggested that the lobster fishery should be confined to the deep water, and that fishing should not be allowed to be carried on in shoal water and lagoons; what do you think about that?—A. I think it would be almost impossible to deal with it in that way.

Q. You think it would be almost impossible to regulate that?—A. Impossible.

Q. Do you usually fish up to the end of the season in your neighbourhood?—A. Yes, sir.

Q. You fish right up to the last day?—A. Yes.

Q. And when do you first get at it?—That depends upon the ice.

Q. Is there much loss of gear with you in this neighbourhood?—A. Yes, over one-half.

Q. That is, you expect to lose one-half your gear each season?—A. Yes.

Q. What do you value your lobster traps at altogether?—A. 50 cents.

Q. Do you fish trawls altogether or single traps?—A. On trawls.

Q. There have been various propositions made to the department, which I have enumerated to the other witnesses. Some people have suggested that the best way out of the existing difficulty would be to shut down on the lobster fishing altogether for a term of years! What do you think of that as a remedy?—A. I think it is altogether too severe.

Q. What do you think of the proposition made by the last Lobster Commission, to close down by sections, and keep moving the close season around until every part of the coast has been covered, what do you think of that?—A. I do not think that would be any good.

Q. What would you suggest as a remedy?—(No answer).

Q. There is another proposition, that we should do away with the size limit altogether, and so regulate the space between the slats in the trap as to allow the very small lobster, say those under 7 inches if you like, to escape; to protect the berried lobster always in some way and to shorten the season some two weeks at the end in compensation for the abolition of the size limit. How would that appeal to you?—A. I think if the lobsters are protected under 7 inches, and if the berried lobsters are looked after and not destroyed, I think that would be all right.

Q. With a shortening of the season at the end as suggested?—A. Yes.

Q. Now, with reference to fall fishing, could it be carried on in your neighbourhood?—A. It might be carried on, but I never did any fall fishing.

Q. The weather is not too rough in the fall, the northwest winds prevail then, and you are sheltered from them?—A. We could carry on the fishing in the fall I suppose.

Q. How would it affect the packer to-day if the size limit were strictly enforced to 8 inches? Would it put him out of business?—A. No, but it would hurt him some.

Q. And how would it affect the fisherman, would it hurt him?—A. Yes, it would hurt him more in some places than in others. There is one thing we would like to know and that is how it is that on some parts of the coast the fishermen get paid by the Department for their spawn lobsters and in other places they are not paid. We protect our berried lobsters here and we do not get paid for them.

Q. The department pays for them in some places for the hatcheries.—A. What about the Baker pound, the seed lobsters that go into the pound are paid for.

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Q. They are paid for, that is the lobsters that go into the pound, but as I understand that is only an experiment. The Department has had a man in the pound all this summer watching the experiment?—A. What the fishermen around this district would like to see is either that the seed lobsters should be put overboard at once and that they be paid for them, or else that pounds be established in the different localities so that the lobsters would be afterwards released into the waters from which they were taken originally.

Q. You would establish pounds in preference to the hatcheries?—A. I could not say about that.

Q. You understand that owing to the natural conditions which are essential to the success of the pounds they cannot be established everywhere; one place may be quite suitable for a pound and an adjoining port may not possess the conditions which are necessary.—A. Well, we want something to protect the industry.

By Mr. Donald Scott:

Q. You worked in a factory for a number of years?—A. Fourteen.

Q. About what number of pounds, while you were working in the factory, of raw material did it take to fill a pound tin?—A. $4\frac{3}{4}$ lbs. and sometimes 5 lbs.

By the Commissioner:

Q. In what canneries were you working?—A. Wallace Cove, Port Morien and Langan.

By Mr. Scott:

Q. Was it ever above 5 in any year?—A. No, unless they threw them away.

Q. Were they in the habit of losing very many fish?—A. Sometimes.

Q. That is when fish have been thrown away?—A. Lots have been thrown away some years.

By the Commissioner:

Q. Were they thrown away by the cannery?—A. Yes.

Q. Why?—A. Because they could not handle them.

Q. There were more fish brought in than they could handle?—A. The canners would take everything that came in.

Q. And they got more than they could handle?—A. That is it, they had more than they could handle.

By Mr. Scott:

Q. Do you remember the canners coming in here and telling the fishermen that the principal reason they could not pay the fishermen the same price down here as in the western part of the province was that the fish were so much poorer, what have you to say about that, do you think that that is correct?—A. No, it is not.

Q. What do you suppose was the object of the packer in telling the fishermen down here that the fish were poorer?—A. It was to cut down the price.

Q. The argument they advanced this year was that they could not give any more than they offered for the fish because of the large amount of bad goods on the market. That is what he told a committee of the union?—A. Yes.

Q. Well the fishermen had not packed any, had they?—A. No.

Q. And therefore the packer said he would have to 'slice' the fishermen this year to make up for the bad work of the factories last year. I think that one of the principal reasons why the Government came to the conclusion to give a monopoly virtually to the packers—because it has all the earmarks of a monopoly, and the fishermen are suffering thereby—was that if the fishermen were allowed to get a license to pack fish the result would be that the product thus put on the market would be so inferior in

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quality that it would ruin the market and injure the lobster business generally. Do you think that is correct?—A. No, sir.

Q. That has not been your experience?—A. No, sir. Anybody who knows anything about canning at all can pack lobsters as good as they are packed to-day.

Q. Speaking from your own experience in the factories in which you have worked, do you think it is possible to have better plant, better buildings and better equipment than is to be found in the factories nowadays? Were those factories kept absolutely clean in order that the fish might be placed on the market in the best condition?—A. Not at all.

Q. They were dirty, were they?—A. They were dirty, sometimes.

Q. There was not sufficient care taken in the very important matter of washing off?—A. No, sir.

Q. They were not washed as they should be washed?—A. I wouldn't like to eat some of the canned lobsters.

Q. You did not consider that the product of some of the factories was in a fit condition for human food?—A. I didn't think so, I knew it was not.

Q. You know that the product was not fit for food?—A. Yes.

Q. Do you consider that it is absolutely necessary in order to protect and conserve the lobster industry of this province, or of this particular part of the province, to have a size limit and to have it enforced?—A. I think it would be better to have a 7-inch size limit.

Q. And have it enforced?—A. Certainly.

Q. Do you think there would be any difficulty in enforcing that limit?—A. I do not think so.

Q. You give it as your opinion that it is necessary all these factories should be under close inspection during the packing season?—A. I think that is perfectly right.

Q. You think it is necessary to have that inspection in order to have a good product for the market?—A. Yes.

Q. Do you consider that the present staff of inspectors in this county, that is the regular staff of men, know their business and have the practical experience to enable them to tell when the lobster is properly packed?—A. I think they are good enough to draw their salary and do nothing else.

Q. They are not practical men?—A. Not alone to-day, but ever since I have known anything about it.

Q. You think it is necessary for the department to get men of experience, men having a knowledge of the business, to act as inspectors in order to ensure a good pack. That is your opinion?—A. That is my opinion.

Q. Supposing the government would make a regulation to take all these berried lobsters from the fishermen, and pay the fishermen for them, how would you have these fish distributed, what would be your plan and your idea with regard to that?—A. I would like to have them taken into the factory or the smack, and let every smack man be sworn to punch these fish and mark them for the fishermen, and then put them overboard. I think that is the best way to protect them.

Q. The smack would call at your fishing ground and take them just about where you got them, and it would only be necessary that there should be a man to mark the seed lobsters by punching the tails, and put them right overboard?—A. I think that is the best way, and the most satisfactory.

Q. Well, if these fish were caught over and over again the marks on them would show that they had already been paid for?—A. The smack man would be able to tell that.

By the Commissioner:

Q. The marks would remain until the lobster gets another shell?—A. But that would not be until another year, as far the stripping of eggs from the seed lobster is

concerned, I have seen the boxes used for that purpose which are about so long (illustrating), the spawn is taken off the seed lobster and thrown into the box and kept there until it is sent to the hatchery.

Witness discharged.

THOMAS PEACH, fisherman, Port Morien, called and sworn.

By the Commissioner:

Q. You have heard the evidence given by the other witnesses, do you approve of it?—Yes, I approve of it.

Q. Was there any matter in reference to which you differed in opinion from the other witnesses?—A. No, sir.

Q. Are you a lobster fisherman?—A. I have been a lobster fisherman for nearly twenty years.

Q. Are you a deep sea fisherman?—A. Yes.

Q. Have you always been a fisherman?—A. All my life, since I was ten years old.

Q. And you have always fished from Port Morien?—A. Always from that port.

Q. About what time do you generally begin the lobster fishery?—A. Whenever the ice will allow us to go to work, after the 1st of May.

Q. Is there much loss of gear on account of the ice generally?—A. Not with us, I have never lost any gear from ice.

Q. Then you are careful about putting it out before the ice has gone?—A. Yes, sir, I generally wait until it is clear.

Q. What number of traps do you take?—A. There are six brothers of us and we fish 700 traps, six boats.

Q. Do you group all you catch?—A. We throw it together,

Q. What was the return this year from those six boats?—A. We got 65,000 lbs. of lobsters.

Q. How did this season compare with the previous year?—A. Our catch was just one-half of what we had last year, when we took 132,000 lbs.

Q. You made that catch with the same amount of gear as you used this year?—A. Yes.

Q. And this last year was an off year?—A. Yes, it was, and the bad weather had a lot to do with the catch too.

Q. Within your experience then, is the lobster fishery falling off?—A. That is a pretty hard question to answer; some years you think it is falling off and then other years you think it is not. Last year was as good as any year I ever had, and we got a good average, but this year it is bad. From my experience I have come to the conclusion that the weather has a lot to do with the catch of lobsters, as much as anything else.

Q. In some places they seem to say—along the northern part of Prince Edward Island where they suffered from the ice a great deal—they tell us that a late season is generally a good one.—A. That is the way we find it.

Q. When they do get at it they say they make a pretty good catch?—A. Yes, they catch the lobsters quicker.

Q. But on the whole would you venture to say that the lobster fishery has decreased?—A. Yes, sir, it has, some.

Q. Of course it has decreased more in some places than in others?—A. Yes.

Q. I suppose that would be due largely to over-fishing?—A. I do not know, I have always fished on the north shore and I think it is due more to the weather; I find that in the spring when we have a lot of northerly winds the fishing is poor, but if we have southerly winds the fishing is good.

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Q. What depth of water do you fish in?—A. At the start we fish in 6 or 7 fathoms, and we move our traps in until we get into 2 fathoms of water.

Q. As to this question of berried lobsters, do you see more of them at any one particular season than at other periods?—A. Well, yes. When we come in nearer to the shore we see more of them. I think the lobster comes into shore to spawn.

Q. What would you say is their spawning season?—A. That is a pretty hard question to answer. I have seen them with spawn on at all times during the season, but at the tail end of the season it is twice as ripe. Of course in the spring of the year I have seen the lobsters just making spawn.

Q. Did you ever hold lobsters in a trap in order to ascertain anything about the date of their spawning?—A. No.

Q. At some of the places I have visited I have met fishermen who have done that.—A. I do not think that would be a very good method, because if the weather was rough the trap would be knocked about and the seed might be brushed off the lobster. I know on our shore you would be liable to find the trap up on the bank.

Q. What about this matter of licensing canneries, what do you think should be the practice in connection with it?—A. I think if the fishermen want to can their own lobsters they should have the privilege of doing so.

Q. Do you think it would be safe to give a license to every man who applied for it?—A. If he had the capital and had a competent man to run the factory, I do not see why it would not.

Q. And how would we find out that he had the capital?—A. It seems to me he would not be able to start without it.

Q. It occurred to me that one way by which we could ensure that would be to compel him to put a factory of a certain standard, of course we could not ask him to pack a certain number of cases?—A. Certainly not, he might not have enough capital to pack a large quantity.

Q. Do you not think that he might be required to build and equip a factory conforming to a certain standard—of course you understand I have no power in the matter, but these are suggestions that have been made at different places?—A. We have been trying, the six brothers, to get some men to run the factory, and to get a license for the last six or eight years, and we could not get a license. Our two factories could never handle the fish we got, there has been a terrible waste. I know one year we started at \$2.25 for fish, and fished for a fortnight, when the factory got blocked. Mr. Leslie sent the steamer down to take them to St. Peter's, and put 30,000 aboard and they nearly all died. He sent another load down there, and when they got there they were all dead and had to be dumped. The result was that because his factory could not handle the fish they dropped the price, and the six of us lost \$500. We applied for a license, we stated our case, and we sent in a petition, but why it was I do not know, they would not give us a license; those packers seemed to be ahead of us every time. I am not asking for a license this year because we have a license now and are packing.

Q. Did you get a co-operative license?—A. No, sir, we got a license of our own. Still although we have our license now, I do not think the fishermen have ever been treated right. I think this berried lobster business is all astray. I will just tell you my experience in connection with it. When Baker got the pound up there, before that they always took them at the factory, I think Mr. Ferguson here can tell you the way they handled them, they paid 4 cents a piece for our spawn lobsters, the first year the pound was established we only got 2½ cents for the lobsters. The next year they came around and we commenced to get pretty cross about it, we would not do the picking out that year, they were thrown into the smack and they picked them out themselves up at the factory and put them into these little square crates. They did not think enough of them to hold them properly, they crowded them into the crates, and put a cover on the crate and the man jumped on it to press it down; the "Sea Bird" came

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around once a week, on Saturdays generally, to take them away. The consequence was that when they went to take our seed lobsters out of the crate about $\frac{2}{3}$ of them had to be thrown overboard at the breakwater. My opinion is that most of those lobsters were dead before they got to Gabarus but that Baker got paid for them by the Government at 16 $\frac{1}{2}$ cents, although $\frac{2}{3}$ of them never left the breakwater. It got so bad that our people would not pick the seed lobsters out and hand them over, and now we throw them overboard. We had to do that because we began to understand matters and found that it was necessary to protect ourselves. I know that when they have to come so far for the seed lobsters they are no good when they get them at the pound.

Q. What is the distance from here to Gabarus by water?—A. It is about 34 miles. I do not know anything about the pounds, but I just know the way our fish were handled. They are dumped into these boxes at the harbour here, and kept there for a week before they are taken away, and I do not think any of them get to the pound in good condition at all.

Q. They do the same thing in the hatcheries, they strip the eggs off the seed lobster, put them in a box and they are collected and taken to the hatchery.—A. I saw them take lobsters at Lingan some years ago, strip the spawn off the lobsters and put it into a little bag which was kept in the sea to hatch the eggs. I saw it afterwards and it was full of sea fleas but there were no lobsters there. You can ask Mr. Ferguson here how our fishery officers perform their duties, I do not think they are of any use. I know that our fishery officer is a practical miner. He works at it once in a while, but doesn't know anything about fishing.

Q. How long has he been fishery officer?—A. About three or four years, he never fished lobsters, but used to fish cod.

Q. Do you think the present staff of fishery officers is sufficient?—A. I do not see why we should have a staff at all.

Q. It has been proposed that we should inspect the canneries; would it need a practical canner to make that inspection properly?—A. It should be a man who understands the canning business thoroughly. Of course I do not think that the fishermen know anything at all about it. The year before last they kept us at the 8-inch limit for one week, and after the week we sold everything.

Q. Did they do it with a view of observing the law or were the canneries crowded with fish?—A. I do not think it; it was the year we started the Fishermen's Union, and I think they wanted to crowd us. We people have not been notified about this commission, we did not get the book of evidence or anything else, all we know about it is what we heard; we are one of the big stations and I do not see why they left us out.

By Mr. Scott:

Q. You spoke of the state of affairs at Port Morien in one year when the packers had to throw away a great deal of raw material. Did you suffer from the absence of any other cannery to which you could sell your lobsters?—A. We could not sell our lobsters to any other cannery outside of our own, as far as we found out.

Q. Did you make an agreement with the cannery not to sell to others?—A. No, we were not bound to anybody, we did not make any agreement, but they were bound to one another, that is my opinion.

Q. Do you remember that on one occasion there were two smacks here representing two different firms, and some of us fishermen went and offered our fish to those men and they declined to take them?—A. Yes; they said they were Leslie's fishermen, and they could not handle his lobsters.

Q. What firm did the smacks represent?—A. I think one of them represented Burnham & Morrill.

Q. And the other?—A. I do not just remember, but I think it was Baker's; I am not very sure of the time, but it was my father tried to sell the fish to them. Once

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in a while Baker would run his smack down here when he got a little mad at Leslie, and would start opposition for a day or two, but they would meet in Halifax and settle up their difficulty.

By the Commissioner:

Q. What firm is that; is it R. J. Leslie?—A. The firm is run in the name of G. A. Leslie, I think.

Q. We have the firm of Leslie in the Magdalen Islands, they are Halifax people?—A. The man who comes down here to do the business is T. B. Leslie, but I think the firm name is G. A. Leslie.

By Mr. Scott:

Q. There is an idea abroad that it is rather strange that the government of the country should be called upon to pay the fishermen for putting the spawn lobsters back into the water when it is to their own personal interest to do so in order to protect and preserve the industry. Have you any idea why the fishermen adopted this rule of putting the fish overboard?—A. It seems to me that this government is taking a lot of trouble to protect our spawn lobsters now and in many different ways, but it is pretty hard to ask us people here to throw away our spawn lobsters and to get no compensation for doing so, when other people right alongside of us are getting eight cents a piece for them. Here, only yesterday, a man on Mira bay got eight cents for them. I say that the government should pay for all the spawn lobsters that are put overboard, and if they are going to pay any one for them they should pay the fishermen straight and let them be thrown overboard where they are caught. I do not see any difficulty in doing that; let them punch the lobsters in the tail and put them back in the sea, and let the department pay the fishermen what they think they are worth. I am not kicking for a big price like they are paying to Baker, 15 or 16 cents apiece, but pay us the same price as we get for our other lobsters.

Q. As far as you understand it, the fishermen along this coast, many of them, are ready to protect the berried lobster, but there are a certain number of them want to be paid for the lobsters they put overboard. Your idea is that if the fishermen were paid, say eight cents each for them, they would protect them?—A. We have a lot of people who are not actually fishermen, they are more farmer than they are fisherman. They put out a little gear, and fish a little while in the spring; and, of course, we cannot watch them, and perhaps some of these men might wash the seed lobsters.

By the Commissioner:

Q. Would it not be easy to get over that difficulty if the proposition to license the fishermen were adopted?—A. I do not know but that it may be better that way. I am not going to say much about that, but I was of the opinion some years ago that every fisherman should have a license. We have a lot of men who have no permanent interest in the work and do not make a living at it, but it is the people who make a living out of it who should be considered.

Q. In Prince Edward Island the majority of those engaged in the lobster fishing are farmers, blacksmiths, etc.?—A. Those are the people who make trouble. We have to make our living out of the sea; we are a different class of people altogether from them.

By Mr. Scott:

Q. How would you make it better in regard to that matter by licensing the fishermen? Would it not be worse to restrict the fishermen, the bona fide fishermen who are actually engaged in fishing and who make their living entirely and exclusively by fishing?—A. That would be pretty hard, but if a man has a neighbour alongside him who wants to go and catch a few fish it is a pretty hard thing to say to that

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neighbour, 'You cannot go.' I think that would be a little bit selfish, and I would not like to say that that man should be restricted from fishing.

Q. I just asked the question in order to get your opinion.—A. It is my opinion that we could educate our people to a better standard than we have. I think if the government could see its way to pay the fisherman for those seed lobsters, they could either pay him for a certain percentage of his catch or for the actual number caught, their tails being punched, and put them right back in the sea again.

By the Commissioner:

Q. That is the best way, probably, to put the seed lobster back in the sea under its natural conditions.—A. There is no doubt about it. The seed might come to life in the lobster hatchery, or it might not, and no one can say whether it will live when the young lobster is put into the sea from the hatchery. I think the natural way is the best. As far as these pounds are concerned, from the little I have seen of them, they are a regular nuisance; the fishermen are being paid to destroy their own interests. I have made a study of the matter and have observed the operations on the steamer and I have come to the conclusion that with the pound as it is operated they are paying us people to destroy our own industry. I have seen too much of it. Now they tell us that that man had 50,000 lobsters in the pound, now if there were that many there they must have been rubbing the spawn off each other.

Q. Well, the committee will know more about the pound now, because they have sent some one there to watch its operation and to ascertain what the conditions really are?—A. It has no right to have the pound there, Morien has just as good a right to have it as Gabarus has.

Q. But it is not everywhere you can find the natural conditions which are essential to make a pound?—A. Well, if they pay us for our seed lobsters and we put them overboard in our own grounds it will be all right. You were talking about a limit, I am of the opinion that there should be some limit on the lobsters.

Q. That is a size limit?—A. Yes.

Q. Experience seems to indicate that it is difficult to enforce a size limit. We have been told that you would need a man in every cannery in order to enforce it.—A. Then you could not do it. I do not know if it can be enforced at all, but I believe that the lobsters down to 6½ and 7 inches are better in the sea. A lobster of that size is too small for any man to take.

Q. The question is should they be taken at all at that size. There is no doubt that the lobster has not reached the age of reproduction until it is 8 inches long?—A. Yes, I have caught them.

Q. There is not one in 100,000 under that size?—A. I have caught some very small lobsters this year with seed on them. I have caught quite a lot of lobsters in my lifetime.

Q. Most of them are above 8 inches before they carry berries but now and then you will find a small specimen bearing berries?—A. Of course I have been fishing for 20 years and I have always sold everything I have caught until the last three years, we have put the seed lobsters away ourselves. I was never restricted in the size of the lobster at the factory until that one week. One year I caught as high as 15 or 16 ton of lobsters myself, and I sold them all, and every year I have sold everything with the exception of that one year when they would not take the small lobsters just for one week.

Q. Is there any port in your neighbourhood which is suitable for the establishment of a pound?—A. I do not know what they would want.

Q. You want an enclosed area that is protected from the sea with sufficient depth, there ought to be at least three or four fathoms of water, and there should not be any fresh water in it, it should be as salt as the sea, and you need also a narrow mouth

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so that it can be fenced off in order to retain the female lobsters in the pound?—A. I do not think there is any place like that around here. There is a place at our port but it has a muddy bottom, although some lobsters go in there.

Q. They can stand a certain amount of fresh water, but there must be a certain percentage of salt in the water or they will die?—A. There is no place over there that I know of that would meet those requirements.

Q. It would be an easy matter to have small pounds in the vicinity of the factory into which the seed lobsters could be put as they were brought in?—A. I object to that myself, I think the right place for the seed lobster is right overboard where she belongs.

Q. The female lobster undoubtedly comes in shore to ripen her spawn?—A. Yes, that is my opinion.

Q. Those who profess to be up on the subject tell us that the female lobster comes into shore to ripen her spawn and that when the spawn has reached a certain stage of ripeness she goes back to the deep water and that it is there the young lobster is hatched. The young lobster furnishes a very large proportion of the food of the mackerel, and the first three months of his life he swims head on, after that he goes to the bottom and crawls backwards. The first year he grows to three inches and after that he grows two inches each year, that has been determined by tests and observations?—A. I am glad to get that information.

Witness discharged.

JAMES B. CAMPBELL, president, Fishermen's Union, Main-a-dieu, called and sworn.

By the Commissioner:

Q. You have heard the evidence given by the previous witnesses?—A. I have heard the evidence of the various fishermen.

Q. And on the whole do you approve of it?—A. I approve of the whole of it. At the present time I am not a lobster fisherman, I started lobster fishing in 1894, and I knocked off in 1902. The lobsters at that time were fairly plentiful, and where I fished, on the south side of Scatari island, the lobsters run large and we get considerable spawn lobsters. At that time there was a factory in operation in the North Cove, Scatari island, and the price paid was \$2.25. I was fishing for W. F. Greely, of the firm of Burnham & Morrill, and we were insisting upon a little raise in the price of our fish, but he would not give it. I went to the other man who ran the factory at the Northwest Cove, Scatari island, Mr. Neville. I went to that gentleman and told him if he would give me \$2.15 for my lobsters I would let him have them. He replied: 'My poor man, I cannot do it; we cannot take them.' That is just how it was, we were kept down at that time like a lot of slaves. That was the condition of things, if you wanted to sell to another factory they would not take them. I have seen a man come in from Flint island, a mile and three-quarters off this place, on Saturday evening, with a load of lobsters and ask this firm to take them, but they would not. I gave up lobster fishing on that account, because I had an independent mind and did not want to be kept down as a slave. Now, with reference to the spawn lobsters. There was a place down on this coast where I used to fish, a great high cliff, and outside there is another cliff, leaving a small channel, running down to a gravelly bottom, one end of it completely closed up, the other having a small opening in it. At very high tide I went there in a dory, and it occurred to me to drop a little bait there. I dropped the bait and the first thing I saw was the claws of a lobster coming out from the cliff. I and another man were together, and at low water we went there when it was dry and we put meat on the end of a gaff and pulled out 72 spawning lobsters. We got out of that channel 200 spawning lobsters and,

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strange to say, not another lobster. These were all sold. I have seen a lobster taken and put into a place made for it, into a little pound, and kept in our harbour, afloat, it was taken in June and kept there until the latter part of August; there was spawn on the lobster when taken in the month of June, and it was kept there so long that at last it died.

Q. The spawn did not mature?—A. No, it did not. I have seen the small lobsters when they first appeared in the form of what we call sea flees for which they are often mistaken, although a man who knows can easily see the difference, frequently the sea fleas are taken for lobsters by mistake. Our traps are built sometimes with a certain space left between the slats, but when they are put in the water the dry slats will swell and therefore it will close up the space between them, and if you have the slats wide enough apart to allow a certain sized lobster to escape when the slats swell, as they would of course, when first put in the water dry, allow quite a number of legal sized lobsters to escape. Now then these lobsters are put into this pound at Fourchu, and I understand from very good authority that they are put there in thousands; we have seen them in our own cars, they have turned around and eaten one another, and they will do the same when they are put in the pound in large numbers. These lobsters in my opinion cannot bring forth their young there as they would if they were let loose in the waters to which they belong, no matter whether the government or anyone else purchases them and puts them in the pound. It would be satisfactory to all the fishermen in the province of Nova Scotia to liberate these fish on the grounds where they are taken, and if the government will send in a smack wherever they are found it will cover a large amount of ground, and the smack man can punch the tails and let them go into the water again. That will result in a large increase in the number of lobsters, and the government will not have to pay nearly as much money as it is paying out at the present time, and it will be much more satisfactory to the fishermen. Let the government pay the fishermen for the seed lobsters, let the tails be punched, and let a man be appointed with a boat or some other means of transportation to enable him to go over the ground, so that the lobsters can be liberated every day. I think if we had that we would have the lobster fishery protected as well as it possibly can be.

By Mr. Peach:

Q. The man on the smack might do that, he might be sworn in at the beginning of the season?—A. The trouble is that his master might not allow him to do that, his employer might object. We want to have a man charged with that duty who is independent. It would be important enough in my opinion for the government to appoint a smack man who would take in a certain portion of the ground on purpose to look after the seed lobsters and do nothing else, if the man is engaged in the factory he is another man's servant and we do not know what he might do.

Mr. PEACH,—I have spoken to the man down there and he will not take one seed lobster, he is only a hired man but he keeps us posted so that if a man puts one in there he will be looked after right away. We asked him in the spring to watch for the spawn lobsters and to report to us who was delivering them at the factory, he has for the last three years, and we have been after the man who did so right away. You asked about the price of the lobsters. This year we did not get any offer at all from the packer, he told us that whatever they paid at this other factory over here at Louisburg we would get. We have generally had a definite arrangement, but this year he would not give us any satisfaction, all he would say was: 'Whatever they pay over at Louisburg you will get the same.' With reference to the spawn lobster I think with the other witnesses that they come inshore to spawn and that's the reason why we catch more of them when we come into shore.

Mr. CAMPBELL.—I think it is the same with the lobster as with the other fish it is the heat of the sun that hatches the spawn; I have noticed it frequently in my

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experience, and that is why the fish come into shoal water to spawn. I am on my oath at the present, and I do not say that there were no young lobsters came out of the pound alive, but at the same time I would like to have some man bring some of them and show me. I do not see how they could hatch out there with the great bulk of the lobsters crowded into the pound.

Witness discharged.

DONALD SCOTT, Secretary Fishermen's Union, Main-a-dieu, called and sworn:—

By the Commissioner:

Q. You have heard the evidence of these other gentlemen, and the statement made by Mr. Campbell, President of the Union, do you concur in it?—A. I concur in it all, as far as it goes.

Q. Is there any further statement you wish to make, if there is we would be glad to have it?—A. I am in the position now that I would be glad to give a little evidence that may have some bearing on this matter, chiefly from the practical standpoint of a man who was working in the factories for 18 years, in all departments of running the factory, and for four years more or less of lobster fishing. Now, in reference to the lobster industry, I have paid particular attention, and had some experience and opportunities for studying the matter, and I have been studying it for years. In fact from the time I commenced fishing I observed the lobsters and their habits as much as I possibly could. There is one thing I have to say, and that is that the law in reference to the protection of the spawn or berried lobster, and the small lobster, that is the lobster under the size limit, has never been adhered to or observed by the fishermen or the packers in this locality during my 18 years' experience, with the exception of one year when the size limit of 8 inches was strictly enforced in this locality by Messrs. Burnham & Morrill, or their agent, or foreman here. I think I am well within the mark when I state that it was not for the purpose of protecting the fishery at all that the law was enforced on that occasion, but that it was purely to get back at the fishermen. That year they had formed a station of the Fishermen's Union here, and the packers put their heads together and said: 'We will have to get back at these people, we will have to give them an object lesson.' These packers were experienced men, they knew in respect to the quantity of fish under the size limit that it was some 60 per cent of the total catch for the year previous when the price was \$3.25, and they thought by enforcing the size limit on that occasion they would deprive the fishermen of 60 per cent of what they took out of their traps and that at the end of the season, after making up their accounts, if they compelled them to throw away the small sized lobster, the sum total of their earnings would not be equal to what it was the year previous when there was no union in existence. I am sure that it was the object of the packers in enforcing the law on that occasion to discredit the union. I might say that away back in 1893, there was an effort made to enforce the size limit here in this locality, we had the late inspector coming in to harass us, at all hours, even at night, he was coming morning, noon, and every other time of day.

Q. That was in 1893?—A. In 1893. It was necessary then in order that we might protect ourselves, I was working then in the factory, to take all precautions. They kept such a close watch on us, and were so hard on us, that the men who were receiving the lobsters on the wharf had to cull all the undersized and all the spawn lobsters as quickly as they could and put them in a separate part of the dock, hiding them to-day in one place and tomorrow in another, in order that we might save the factory or the proprietor from being fined. This was done so successfully, that I think from 1902 to 1906 the factory paid three fines. In 1902 I took it in my head, I do not know why, but just desiring to find out all I could about it, to keep track of the spawn lobsters, and I took a memorandum of every day's work. In 1902 the result was that in

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reference to the spawn lobsters taken in the Main-a-dieu factory they amounted to 10½ per cent of the total catch, in 1903 it was something less than 10 per cent, in 1904 it came down to 8 per cent, and in 1905 it was under 7 per cent. To qualify that statement and to show you where there has been depreciation during those years, I might mention that to the westward they were using a contrivance to which they gave the local name of 'hand trap,' merely hoops with net fastened all around which are laid flat on the bottom, which are usually put out during fine weather where any fisherman can put a trap in order to catch the spawn lobsters in the latter part of the season during the very fine days. Some fishermen would put 15 or 20 of these traps along the coast and the result was that a very great number of lobsters during that period between 1902 and 1906 were destroyed. The destruction was something terrible, and when we come to look at it in view of the decrease in the supply during recent years we realize that, no doubt, was one of the main reasons for the decrease. This appliance was brought down and introduced by a fisherman from the western part of the province and they were put abroad not by our own fishermen themselves, but by the instructions of the men who ran the factory, in order to catch the spawn lobsters and to make a little more money by having a larger pack at the end of the season. I want to make the statement that the firm I was working for, Messrs. Burnham & Morrill, did not care a bawbee, or to the extent of one dollar, whether the industry was conserved or not.

Q. What was your average pack during those years?—A. During those years they were packing from 1,100 to 1,600 cases, as to that I am not speaking by the book but off-hand. On some occasions in July when the weather was fine and all that, the fishermen seeing that one man began and made a few dollars that way, all turned in and did it so that there was an awful depletion during those three years, so far as the destruction of the seed lobster is concerned. I took the precaution yesterday to look over some of my memoranda, and I find that the number of small lobsters, that is lobsters under the 8-inch size limit taken, was about 25 per cent, or one-fourth of the total catch. In my humble opinion this was the rock on which the lobster regulations inaugurated by the government, no doubt with some wisdom behind them, and with an honest desire, I will say that, to protect the industry down in the maritime provinces, were wrecked. Taking out the spawn lobsters and the 25 or 30 per cent of the total catch, the fishermen looked upon that as too great a sacrifice altogether for them to make, notwithstanding the fact that they profit by the industry. They think that they should not be required to make that great sacrifice in order to fulfil the law while the packers had no sacrifice to make. Why should the fishermen actually throw away 30 per cent of their catch? I maintain that was too great a sacrifice for that class of people, poor people, because everybody knows what our earnings are, and they could not be expected to make that sacrifice in order to protect the industry because by doing so they could not do themselves justice and support their families in the business. Now the packers, as far as I know them, made no effort to enforce the law; on the other hand they rather encouraged the fishermen to catch everything and anything whether it was the spawn or the small lobster. On one occasion one packer, an agent of Burnham & Morrill, instructed me to take no fish under 8 inches. The lobsters were plentiful at that time and they were paying a very small price for them, and they found that more or less of these small lobsters were coming in, and that they were very troublesome in giving them too much work, and he conceived the plan of having his men on board his smacks and on the wharf throw away all lobsters under 8 inches, and it was done for a little while. But what happened? The other packers came around on his ground and said to the fishermen, 'We will give you the same price you are getting at the Main-a-dieu factory, and we will take them, spawn and all, right down to 6 inches, or anything at all we can put into the can.' The lobster canning business has one peculiarity about it, they have different kinds of cans, the very smallest being ¼ of a pound. To make good fish and to put them in ¼ pound cans they must have small claws and small tails, in other words, small lobsters. Then

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they have pound cans, $\frac{3}{4}$ pound and $\frac{1}{2}$ pound, so that with these different sized cans they can, of course, use up all the material offered them by the fishermen.

Q. Have you any idea which class of can commands the highest price in the market?—A. The cans commanding the highest price in the market are the one-quarter pound cans, and the next highest is the one-half pound, then comes the three-quarter pound, and the smallest price they get for their fish anywhere in the markets of Europe, Great Britain or anywhere else is for the pound cans.

Q. And these one-quarter pound cans can only be filled with the small fish?—A. With the smallest fish. I would like to note upon the evidence in reference to the size limit. Last year I took the precaution to go into one of the factories during the latter part of the season, and on one occasion there were 2,000 pounds of lobster on what was called the cooler. I am on my oath now, and this is evidence that is practical, there is no gainsaying it. I weighed one dozen lobsters that I found there and they weighed $1\frac{3}{4}$ lbs. Five of these were under six inches, and there were four of them. I think, that just about measured six inches, and two were between seven and eight inches. That was in the latter part of the season. In the 2,000 pounds of fish there, there must have been in the neighbourhood, taking them by count, of 5,000 lobsters. In my opinion, it is necessary to have a size limit, and I think if the size limit were put at 7 inches the fishermen would agree among themselves to observe it. I may say that the great majority of the fishermen are educated up to the point now, and that they will agree with me when I say that there is necessity for a certain amount of protection for the lobster industry. I do really believe that to preserve and to recuperate the lobster industry up to the point that it will be not only profitable for the fishermen, but for the packers also, it is necessary to have a 7-inch limit, and to have that limit enforced.

Q. Have you any idea how many 7-inch lobsters it takes to fill a one-pound can?—A. You mean by number?

Q. Yes?—A. I never worked in a factory that took them by count.

Q. Well, I have the actual measurement which shows that it takes nine seven-inch lobsters to fill a one pound can?—A. I must say that the most profitable lobster for the canner is that ranging from $7\frac{1}{2}$ to $9\frac{1}{2}$ inches; if they threw all the rest away they would gain by it; they would be able to run their canneries at an average cost of $4\frac{1}{2}$ lbs. of green lobsters to the one pound can. The smaller cans bring the better price, and are the more profitable to the canners. My opinion is that where the larger proportion of the lobsters are medium the average is very much larger.

Now, in reference to canners' licenses, I have had a little experience in connection with them, and I am going to say, generally speaking, that I believe it is not right there should be any restriction to the canners' licenses at all. I believe, in a word, that any man who has the necessary experience and capital to enable him to can lobsters should be given a license by the department. One of my principal reasons for taking that ground is that if you restrict those licenses to any particular class, in a little while they will take advantage of that, and, as a matter of fact they have done so. You have a practical illustration of that in what has occurred right here during the last season. The canners took advantage of the fact that they are protected from outside competition to squeeze the fishermen and to give them whatever price they chose for their fish. In other words, this creates a monopoly, and if the fishermen cannot sell their fish to the canneries they have no market for them, particularly down here. We have no live lobster market or facilities for shipping to any of the live lobster markets of this country, and the result is that we are altogether, under the present regulations with regard to the canner's licenses, at the mercy of the canners. If it is made an open industry, such as it was before the license was restricted, it would keep these men who are engaged in the packing business straight; they would always be in fear, as they were before these conditions were brought about by the restricting of licenses, of outsiders coming in and competing with them for the fish. But under the existing regulations that competition has been destroyed, and the result

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is that the fishermen have no chance at all. Last season our station of the Fishermen's Union fixed the price at \$3.75, and notified the packers to that effect. I might say that we did not know the exact condition of the market for canned lobsters at the time, and we fixed our price on the same basis as the previous year. They said they could not possibly come to any agreement at the time, and they kept backing and filling. We could not get a license, we had no means by which we could protect ourselves against them, and we could get no satisfaction. When the time came the fishermen got their gear ready, made their traps, and fitted out for the fishing season, and it was only along the latter part of April that they said for the first time: 'We will not give any more than \$2.25, and if you do not choose to take that we will close the factories.' The result was that the factory at Gabarus was closed on account of the strike. The men called a strike, the fishermen refused to fish for that price on the ground that they could not make a living at such starvation wages. They held out, and in the meantime we asked the government to intervene. The Hon. Mr. Brodeur was asked to appoint a commission, and he replied that he had no machinery for that purpose. We offered to arbitrate with them, and finally the department at Ottawa sent Mr. Morrison, the inspector of fisheries, here. He came here and met the agent of the union in the presence of one of the packers, and we said: 'It is out of our hands altogether, the government has sent an officer from the department; we will submit altogether to him. We will lay before him all our data and all the information that we have, and we will abide by the decision of Mr. Morrison, the man sent here by the government.' But they would not meet us. We asked the principal packers to meet the delegates from the various unions at Port Hawkesbury and adjust the dispute. We were ready if they proved they could not pay the price we had demanded—we had fixed on \$3.75—and it was agreed by all the other stations in Nova Scotia that we would take a lesser price if it was shown that the packers could not pay the amount asked, or such price as would allow the packers a reasonable margin of profit and that would give the fishermen enough to live on. They refused point blank to accept that offer, and also to meet the official sent by the government to investigate, and they said: 'The price is \$2.25, if you don't take that we will close the factory.' The result was they closed up the factory and threw some 45 men, boys and girls out of employment, and for a few days the fishermen who usually fished for Burnham & Morrill were in great doubt whether they would be able to sell their fish or not. A few days afterwards Roberts, Simpson & Company, of Halifax, put a boat on and decided to buy the fish. In 1906 the packers paid \$3.25 in this locality. The price in Great Britain at that time and on the continent was five shillings lower than in 1909. The reasons they gave for the reduction in price is simply a fairy tale, to put it very mildly. One of the reasons given is that our fish are not as good, that it takes more fish down here to make a can than it does in the western part of the province. That is one of the reasons they assign why they cannot pay the same price here that they do west of Canso.

On account of the dispute between the packers and the union, up to the 15th of April we had no assurance from the department that we could get a co-operative license—I believe that it is a wise move on the part of the government to issue co-operative licenses, but the result was that down here we had nothing. Down at Gabarus they have succeeded, and a couple of stations in other places are ready, but we were left altogether on our oars, and if it had not been for the pressure brought to bear on Simpson & Company in Halifax these people who had been selling to Burnham & Morrill would not have been able to sell their fish at all; the packers were simply going to wipe us out altogether. I think every person will agree with me that such a state of affairs as that should not be permitted to exist for one moment in any civilized community, and especially under our free constitution here in Canada. We are not unreasonable men, our policy always has been to live and let live. Whenever in the last three years we have had an opportunity to adjust prices we have done so; we made contracts with these men and we followed those contracts out to the letter.

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If something is not done in the matter, if the packers continue to have the monopoly, as they have to-day, it is going to be hard on the fishermen. As a matter of fact I have heard the opinion expressed by a great many fishermen along this coast that something will have to be done, and that they will have to be protected in their rights, otherwise they will have to go out of business altogether.

Some questions were asked by your honour in reference to the standard of canneries and all that. When this splendid franchise was given to these men who now hold it and the licenses were restricted to them and to them alone, one of the principal arguments they advanced was that the fishermen who packed were usually dishonest, and all that sort of thing; that the market would be ruined by inferior goods being placed upon it by the inexperienced fishermen. Now, in 1908 there were no packers of any kind other than these same good, reliable and honest men; they were the only men who were putting up lobster, but what do we find? We have the evidence out of their own mouths, Messrs. Burnham & Morrill's agent says: 'We had returned to us up to the end of October, 1908, 5,000 cases of the last shipment which went over on the Allan Line, some 10,000 cases.' Now, these fish were sold at \$16 a case, and they had 5,000 cases of that shipment returned to them, and Robert Simpson told me in April that their firm had lost \$100,000, and that was why they couldn't give the price, that these fish were thrown back on them, and that was the reason they had to put the price down. I do not think it is fair that the fishermen who gave the raw material to these gentlemen in perfect condition should be placed at a disadvantage, and be made to recoup the packers for the loss which resulted from their own carelessness or slovenliness in doing business; or because they did not put up the grade of goods that the European markets required or that they had themselves contracted to supply to their customers.

So far as the time limit is concerned, all the fishermen here seem to be of the opinion that that is all right. There is one part of the regulations that we have always adhered to; we have never caught any fish during the close season. There is no fishing here out of season, from St. Peters to Cape North; that part of the regulations has always been strictly observed.

Perhaps it will be wise for me to give my opinion in reference to pounds. It is true I have never visited Baker's pound, but I have heard a great deal about it, and I have had some experience in connection with it, for two years I handled the lobsters that went into those cars that were shipped to Mr. Baker. In turning up my memoranda I find—this evidence is specific and positive—on one occasion his boat came here, the lobsters were gathered up in smacks, brought in and remained in the sun all day; they did not take any precautions to protect them. I suggested that proper boxes or baskets be put on board some of the smacks in which to put the seed lobsters, but they told me that the government was going to foot the expense; they were not handling the spawn lobsters in a proper way, and a great many of them were sick and almost dead when they came in, and many of them died. On one occasion I examined the lobsters myself on the morning that they were taken away from the factory by the *Sea Bird*, and I found that 60 per cent were dead. On another occasion, the next trip, there were 50 per cent dead, and on the third and last time, 70 per cent were dead. I do not know what happened to them after they left the factory, but from the knowledge I gained, and from what I know of seed lobsters, I do not believe that there were 5 per cent of them alive when they went into Baker's pound. Looking over the evidence taken at Ottawa, I am reminded that Mr. Baker swore that 5 per cent of these lobsters died in the pound, that that was the percentage of mortality in the pound. I do not know how that could possibly be if they handled them the way they were handled when I had charge of the handling of them in the factory.

Q. What he probably meant was 5 per cent of those that went into the pound?—A. It is also claimed that a very large number of small diminutive lobsters, just come out of their shell, so to speak, are found in that pound. Now, it is not very likely that the

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lobsters will hatch in Baker's pound any sooner than they will at the Canso hatchery. I have read the evidence in regard to that matter by men of experience, observant men, employees of that hatchery at Canso, which is conducted, I believe, in a splendid manner, and they say that no proportion of the small lobsters are hatched out before the last week in July. I have been in the place and asked the question, and took down the reply, and they tell me that the first and second week in August is the time when the young lobster comes to life, and that then they are found in myriads. If that be the fact, and it must be owing to the source from which the evidence is obtained, where do the experts in the month of June and earlier find these small lobsters swimming around the pound? I believe, from what I know about it, that the lobsters do not spawn on this part of the coast before the last week of July and on in August. That is the spawning season as far as I can learn.

Q. As to hatcheries, have you anything to say about them?—A. With regard to the hatchery, as far as that has been demonstrated I must admit that they do produce the little lobster, but the great trouble is—of course the object is a good one and the department are no doubt desirous to protect the great lobster industry and all the evidence points to the fact that they do produce and hatch out these little lobsters—but the question that arises with the practical fishermen here, and everywhere else in the province, is, how many of these young lobsters ever reach the age of maturity. How many of these are preserved? They take them out, they go through the glass jars down into the great vat, and when the vat is filled up they have a barrel and take them out and distribute them along the coast. My opinion is that the mackerel and other small fish gobble up these little lobsters, and that none of them come to maturity, and that so far as the efforts of the department are concerned the result is nil. To put it the way an old fisherman suggested, he thought it was a very strange way of doing business for the government to be spending the money of the people in raising young lobsters to be fed to the mackerel along the coast. That was his opinion and I think it is correct. With reference to the spawning lobster I think the evidence goes to prove that the best way to deal with her would be to let her go just where she is caught. I have worked in the lobster industry a great many years and I have observed all these things in connection with the lobster and I am satisfied that it could very readily be worked out. When the lobster fisherman sees this spawn lobster in his trap he can easily put her aside—our experience in three years was that the spawn lobsters do not exceed 4 per cent of the catch, and I believe that this man who would be appointed for the purpose would not be overburdened by the work of taking these lobsters, stamping them, putting them overboard and giving a receipt to the fisherman. As far as the expense is concerned all these men could be made pro tem officers of the department, sworn in the regular way and paid a small salary for it. I do not know what the quality of the smack men is in other parts, but I must say this of the smack men engaged in this factory, and at Port Morien, that they are intelligent men, honest men, and I believe that if this scheme were adopted it would go far towards removing any anxiety in connection with the future of the lobster industry on this part of the coast.

With respect to the condition of affairs in the western part of the province I have no distinct knowledge, but I know this, that the drain upon the lobster specie in this part of Cape Breton county is not nearly so great as it is on other parts of the coast from Canso to the west, for the reason that we have more stormy weather to contend with, every week the fisherman loses one or two days, and then the ice comes in in the spring so that we never can get to work here before the 14th or 15th of May at the earliest and on one occasion it was the 13th or 14th of June when the fishermen got to work. We do not have down here in the very best seasons any more than two and a half months' fishing, and, as I said before, we adhere strictly to one of the regulations, that is that we do not take any fish out of season. Speaking generally in regard to that matter if the department chooses to adopt our suggestion with regard to spawn lobsters, and gives us a 7-inch limit, I think that this part of the coast, as

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far as I have any knowledge, will be safe for years to come. I do not think it is possible to deplete the industry under those conditions so that it will be a loss to those engaged in it. As one taking an active part in the consideration and discussion of this matter I am very pleased that the government has sent a commissioner down here to take the evidence of the fishermen; I believe that it is the right method to pursue, and that when the evidence is all taken that the regulations that will come as a result of that evidence given before this Commission will redound to the benefit of all concerned in the lobster industry.

Witness discharged.

Commission adjourned.

LINGAN, C. B., 23rd August, 1909.

JOHN BURKE, packer, Lingan, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing business?—A. I have packed, myself, 12 years, but I have not packed these last five years, the factory has been leased.

Q. You have actually given up packing?—A. I have not packed lobsters for the last five years.

Q. Who is doing the packing now?—A. Baxter Bros.

Q. Where do they come from?—A. Brunswick, Me.

Q. What is the capacity of the factory?—A. About 1,200 cases are usually packed there.

Q. How many boats are fishing for the cannery?—A. I guess somewhere about 30, or 35, possibly.

Q. Do the fishermen own their own boats and gear?—A. They all own their own boats and gear.

Q. About what number of hands are employed in the cannery?—A. Men and women, somewhere about 35 are employed sometimes during the season; that does not include fishermen.

Q. How does their pack compare now with what it was when you first began?—A. For two years they packed more than I did, but this year of course was bad on account of stormy weather.

Q. What was the quantity packed?—A. About 996 cases.

Q. When you were packing you had a smaller number of fishermen?—A. No, we had about the same, in fact I do not know but what I had a few boats more.

Q. What is the condition of the lobster fishery in the neighbourhood of Lingan, in the bay, and off the bay, compared with what it was when you first started?—A. I remember when the fishery was started first, about six years before I began, the lobsters were more plentiful, but for the last 16 years I think they have been just as plentiful as they were when I took charge of it.

Q. Is there as large a run of lobsters?—A. Yes, they run the same.

Q. Have you any idea of the percentage taken now below the 8-inch size limit?—A. Well, of course in July quite a lot of them are below the 8-inch limit, and in the latter part of June there are some, but in the first of June we do not have any.

Q. Your season here is from the 1st of May to the last of July?—A. Yes.

Q. As a rule, does the cannery run right up to the very tag end of the season?—A. Very seldom; this year there was a heavy storm and the gear got broken.

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Q. As a rule do they usually fish to the end of the season?—A. They generally fish up to about the 20th of July.

Q. And are they ever able to begin sharp at the opening of the season?—A. Never, not on the first of May.

Q. The ice conditions here are such, I suppose, that you cannot begin on the first of May?—A. It is often the 22nd of May before we can begin here, and a few years ago it was the 6th of June before we got at it. When you ask that question, if you desire it, I can give you the dates that I started the factory in each year from 1894 to 1904, and the number of days fishing we had in each month during that period. The figures in the columns 'days fishing' show the number of days I had taken lobsters from the fishermen in that month and the figures in the last column show the total number of days during the season on which lobsters were taken at the factory. In 1894 and 1895 there was no fishing in July, the season ended on the last of June. In 1896, an extension was granted, and in several other years they granted us extensions. In 1902 there was a big storm, there was only eight days fishing in June, and only a few of the fishermen were fishing, there was very little done in July either in that year. (Statement filed as follows:)

Year.	Date starting factory.	Days fishing each month.	Days fishing each month.	Days fishing each month.	Total days fishing each year.
1894.....	May 25	May 6	June 22	July —	28
1895.....	" 22	" 9	" 15	" —	24
1896.....	" 18	" 10	" 23	" 16	49
1897.....	" 21	" 9	" 22	" 9	40
1898.....	" 14	" 12	" 20	" 13	45
1899.....	" 17	" 10	" 25	" 4	51
1900.....	" 12	" 15	" 22	" 14	51
1901.....	" 10	" 18	" 18	" 10	46
1902.....	" 9	" 17	" 8	" 5	30
1903.....	" 14	" 13	" 22	" 19	54
1904.....	" 16	" 13	" 20	" 13	46

Q. After 1904, you rented the factory?—A. Yes.

Q. What used to be the average, can you give us any idea of the average of lobsters when you packed? How many did they run to the pound can?—A. About 275 was the best I ever got to make a case.

Q. About 275 lobsters?—A. 275 pounds to make a case; sometimes it would take more than that if we were rushed.

Q. Now, is there any difference during the season as to the quantity of meat the lobsters will turn out? The first lobsters you get do not turn out as much meat as the same weight of green lobster does later on, do they?—A. They do not give as much meat, but they are larger lobsters.

Q. In what depth of water do the fisherman usually fish here?—A. I do not think any of them fish more than three or four fathoms, and most of them not that much. They fish on the shoals and off the head.

Q. What is the best fishing season here?—A. In May and up to the middle of June, that is when they get the most lobsters and the biggest lobsters.

Q. You find a larger and better run of lobsters early in the season than you do later on?—A. Oh, yes.

Q. When the fishermen are fishing in that very shoal water is there a larger percentage of small lobsters, do you think?—A. Yes, there is, when they are getting in shore in July.

Q. And is there a larger percentage of egg-bearing lobsters at that time?—A. Yes, I expect there would be, they make out that the egg lobsters are close to the shore then.

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Q. You believe that the female lobster comes close in shore to spawn?—A. Yes. Another thing that I know, some fishermen get a great many more of the egg-bearing lobsters than others.

Q. What percentage of seed-bearing lobsters would you consider is taken, how many out of every hundred?—A. About 3 per cent I would say.

Q. That is, taking it the whole season through?—A. Yes.

Q. The percentage would be a little greater at the end of the season and less at the beginning, I suppose?—A. I always found that there were as many at the beginning as there were at the end.

Q. Would you venture to say what proportion of the total catch of lobsters would be below the legal limit?—A. Here I would say that in July it is fully 50 per cent.

Q. What was the practice here of the fishermen in the beginning? I suppose the regulations have never been strictly enforced?—A. No, not while I was in the factory. The first year I took hold of the factory we had a very strict overseer, and it had to be enforced as far as he was concerned, but there are various ways of keeping them hid, of late years they are not enforcing the size limit, but they are enforcing the regulations with regard to the seed lobster.

Q. Have the fishermen ever followed the practice of wiping the eggs off the seed lobster and bringing it into the factory?—A. They did, but I do not think it is done to any extent now, I think they are dropping that practice. There may be a few of them that will do it, but I think the majority of them will not.

Q. The majority of the fishermen you think will not do it?—A. No.

Q. Is it the practice of the fishermen to bring everything they catch to the factory?—A. Here we never take any lobster under 7 inches, smaller than that they would not be worth packing.

Q. What is the practice here as to the berried lobsters, do the canners take them?—A. They do not take them here now, they are very careful about that.

Q. Have you ever lost fishermen because of your refusal to take the berried lobster from them?—A. There was one year I had some difficulty, my fishermen said that other smacks were taking the egg-bearing lobsters and that if we would not take them we would not get any. I wrote to the other smack men about it, but I did not have any reply; however two or three days afterwards these other smack men told my fishermen that I had written to them about taking the berried lobsters, and the result was that they would not give me any lobsters.

Q. What would you regard as the spawning season of the lobsters?—A. All seasons; I have been on the shore on Christmas eve and I found them with seed on them then.

Q. But that seed would not be ripe for hatching, it would not be hatched until the warm weather?—A. No, it would be a long time afterwards before it would be hatched, but you get lobsters with the small black seed on them in the winter although they would not be hatched out until much later.

Q. What class of lobster do you find bearing eggs, small or large?—A. I have seen them 8 inches long, or less than 8 inches with eggs on, but most of them when bearing eggs are about 9 inches.

Q. In very rare instances they have been found with eggs on at 7 inches?—A. I have never seen any 7-inch lobsters with eggs on. The run of lobsters here, however, is not as large as in deeper water.

Q. What would you suggest as the best means of protecting the egg-bearing lobster?—A. My opinion is that the best means is to put them overboard in their own natural ground, because I can see that there must be an awful per centage of them that will die if you take them any distance to the pounds. The fisherman must be three or four hours at his traps, and if he picks one of these berried lobsters out he throws it into the bow or the stern of the boat, and after he takes it to the factory it will lie around there until the smack comes to take it to the pound, so that it is knocked around

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a good deal and the female lobster is more delicate and cannot stand such rough handling.

Q. You think that the egg-bearing lobster cannot stand the handling it receives before it gets to the pound?—A. I do not think it will, and a larger lobster will not live as long as the small one; they are not fit to take away any great distance, and then again when they are placed in the pounds in good condition perhaps the confinement is not suitable for them. I see by the evidence that when they liberate them they take them two miles off shore at Fourchu, and the fishermen claim that the conditions may not be suitable for them where they are deposited.

Q. Taking it for granted that the best way to protect the female lobster is to throw her overboard, what is the best way to induce the fishermen to do this?—A. If the factories would not take the berried lobsters there would be no inducement to the fishermen to hold her, and they would throw her overboard.

Q. Was there not always a risk of inducing the fishermen to brush the eggs off so that they could turn her into the cannery?—A. There was more inducement to them to do so some time ago than there is now, but the last few years I find that the fishermen are beginning to realize, particularly around here, that it is to their own benefit to put the seed lobster overboard.

Q. Do you think there would be any good object served by sending down some one who is an expert on the subject to talk to the fishermen, and point out to them the advantage it would be to them pecuniarily if they protected the seed lobster?—A. I think it would.

Q. The Agricultural Department does something of that kind in connection with the farmers; they send out experts to explain to them the advantages of raising certain stock or certain crops, the furnishing of the soil with plant food and all that sort of thing, and might not an educational work be carried on with advantage on similar lines among the fishermen?—A. I think so. A great many fishermen do not really understand the damage they are doing by taking the seed lobster.

Q. Do you think if it were properly explained to them it would have a good effect?—A. Yes, I think it would.

Q. I suppose it would be difficult to detect the lobster that had the eggs brushed off?—A. It would not be very difficult to do so when the boats come into the factory, but it would be more difficult to detect them when being placed in the smacks.

Q. Most of the lobsters here are smacked to the factory, are they?—A. At this factory possibly one-third are delivered at the factory.

Q. What is your idea as to the usefulness of pounds?—A. As a matter of fact I haven't much faith in them. I have not seen the pounds, but I have not very much faith in them.

Q. What do you think about hatcheries?—A. I do not know anything about hatcheries at all.

Q. Now, as to the matter of licenses, there is a good deal of feeling, you know, about the present state of affairs with regard to canning licenses. Is there any fishermen's union here?—A. There has been one, but they dropped it.

Q. As to the matter of licenses to canneries, you know that the policy of the department during the last number of years has been to keep down as far as possible the number of canning licenses. What do you think of that, do you think there are canneries enough?—A. I know that there are more canneries now than can get lobsters to can. This factory here is able to can all that they can get here, and there have been two other canneries started here but they went down.

Q. Is there only one cannery here now?—A. Yes.

Q. Is there any reason why any man who shows his competency to can should not be given a license?—A. Well, I do not know that there is in that way of speaking. But there were a great many little canneries operating formerly that were injuring the market by putting up bad goods.

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Q. Of course you know there has been friction, especially on this shore, a little further along the shore, between the fishermen and the canners, and in order not to give the fishermen any cause for complaining the department, under the Hon. Mr. Brodeur, the present minister, decided to issue what they call co-operative licenses, and these are the only new licenses that are issued, by which the fishermen who are dissatisfied can band themselves together and pack lobsters. What is your idea about that?—A. I suppose it is a matter of public opinion, and if people kick up and want them the only thing to do is to give it to them, and I say, all right, but in Gabarus they tell you they are losing money, which I knew they would do.

Q. Of course it needs other qualifications besides the ability to catch lobsters to run a factory successfully?—A. Yes, it is uphill work in these days to run a factory.

Q. Now, as to the matter of price, what has been paid the fishermen here for their lobsters?—A. This year the price was \$2.25, last year it was \$3 and \$3.50, and I think it went as high as \$3.75.

Q. I presume the reason for the decrease in the price was that the market had dropped?—A. The market dropped last winter. Last summer it was fine, and there was a very large catch, so that the market got glutted.

Q. Is it your opinion that, one year with another, the fishermen would make more money if they were allowed to can for themselves?—A. I do not believe they would, or that they would even make as much money.

Q. What are the ordinary wages paid to hands here? What is usually paid to a scaler?—A. \$35 to \$40 and his board.

Q. And what wages are usually paid to the other hands?—A. Men get from \$20 to \$30, and boys about \$20, and the women from \$12 to \$15, but neither the men nor the women are given maintenance, only the sealers.

Q. These are what we may call the standard wages?—A. That is about the standard, yes.

Q. With reference to the size limit, do you think it is in the interest of the lobster fishery that lobsters should be taken before they reach the age of reproduction?—A. Yes; I believe the factory, I know it is the case around here, could not work at all if they were confined to the size limit.

Q. As you know there have been various remedies suggested for the existing condition of affairs; you do not seem to be as badly off here as they are in some places, or at least the fishery is not exhausted to the same extent that it is in other places?—A. No, I do not think it could be if the egg-bearing lobsters are protected, because we do not have more than two months' fishing.

Q. The most heroic of all the remedies which have been suggested is that we should stop all fishing for a term of years; what do you think about that?—A. I think that would be most serious to the capital invested in it.

Q. And you think the fishery has not reached that stage to necessitate such heroic measures?—A. Not on this coast anyway.

Q. Then the Lobster Commission of 1898 made a recommendation—they did not come here, did they?—A. No, I went to Sydney to meet them, but they had gone to North Sydney before I arrived. However, I sent them my views.

Q. They recommended shutting down all along the coast by sections, closing down this section, we will say, this year, and allowing the fishery to proceed on the other parts of the coast, and next year shutting down in the next district and so on, moving around gradually until the whole coast had been given a close season?—A. I guess I must have misunderstood that; was it that they did not intend to close any particular port, but to lay out certain portions of the ground and allow no traps there.

Q. What I understand was that they proposed to close off a certain section of the coast each year and not allow fishing in that section?—A. I think it would be very hard to do that.

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Q. Another proposition that has been made to the department is to do away altogether with the size limit and to strictly protect the berried lobsters?—A. I think that would be about the best way.

Q. And I suppose the department would expect something in return for the abolition of the size limit by cutting off say ten days or a fortnight at the end of the open season?—A. That would not make any difference here, because that portion of the season is not usually fished anyway.

Q. In most cases we find, especially where the lobster fishery is carried on by legitimate fishermen, that it would not make any very material difference, because they have other fisheries they could turn to, and a great many of the factories close down before the end of the season in any event?—A. This one here never worked until the end of the season.

Q. In my division the factories usually close down about the 10th of July, and the result is that the most of the lobster fishing closes about the 15th of June. What are the bulk of the lobster fishermen in this neighbourhood; are they genuine fishermen?—A. Yes, they are people that have been fishing ever since the factory started here years ago.

Q. But do they continue to fish when the lobster fishery is over?—A. A great many of them do, but some go to the mines.

Q. In Northern New Brunswick a great many of those engaged in the lobster fishery are farmers, and the cannery supplies the gear and the boats, and when the fishery is closed they go back to their farms?—A. A great many of them here are that way also, but every one here owns his own boat and gear.

Q. What kind of trap do you use here?—A. They all use what they call the prison trap.

Q. How long has that trap been in use?—A. About five years.

Q. That is what is called the parlour trap?—A. Yes.

Q. The only merit which that trap has, as I understand it, over the old-fashioned trap is that it holds the lobsters better?—A. It keeps them better once they get in.

Q. And in the event of the fisherman being unable to fish his traps every day he does not lose the fish?—A. That is the idea.

Q. How far do they space the slats apart here?—A. There is no particular space; at first there was a wide space, but I do not think they are more than one inch apart now.

Q. We have found in many places that the slats are only half an inch apart because we measured them?—A. That might be the case here, too.

Q. Do you not think that space is unnecessarily small? Do you not think that by insisting upon an inch space a certain percentage of the small lobsters would find their way out of the trap?—A. I know here that they never bring in anything that could get out of a one-inch space. A lobster under 6 inches would not be of any use to the factory.

Q. In some places they are canning them where it takes 15 or 16 to fill a pound can?—A. They do not can anything like that here; they do not can some 7-inch lobsters because they are thin and slim, but if they are broad they take them.

Q. What is the most valuable can; which size can fetches the best price?—A. I do not know; they have different cans for different markets.

Q. We have been informed at other places that what is called the $\frac{1}{4}$ -pound flats bring the best price?—A. Oh, yes; they do.

Q. They must have very small lobsters to fill such a small can?—A. In July is the best time to put up that can; the $\frac{1}{4}$ -pound can is not any smaller around than the $\frac{1}{2}$ -pound can, but it is lower.

Q. According to measurements actually taken we find that it takes nine 7-inch lobsters to fill a pound can?—A. Yes, that is about it, I think.

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Q. Do you think that the strict enforcement of the 8-inch limit here would put the canner out of business?—A. It certainly would.

Q. And I presume it would put the fishermen out of business too?—A. After the 1st of June it would, but before that date there are very few caught under that size.

Q. I suppose that to carry on the live lobster industry here is out of the question?—A. There has not been any sent alive from here.

Q. The facilities for exporting them from here to the Boston market do not exist?—A. I think it would be too hard to handle them, they would not pay.

Q. It has been suggested that for the better control of the lobster fishery the lobster fishermen should be required to register and take out a license?—A. I think that would be a very good idea, and you would have them under some authority.

Q. If that were done by refusing the fishermen a license if he showed a determination to continually violate the law, he could be prevented from carrying on that particular industry?—A. It would make him feel that he had some responsibility as well as the packer.

Q. Are you aware of the fishermen having complained that the price they were receiving for their lobsters was not sufficient?—A. Of course this year they complained considerably, but before this they appeared to be fairly well satisfied, because they knew they were getting the same as the fishermen were getting anywhere, that is taking the conditions which exist here and the fact that no live lobsters are exported.

Q. Professor Prince favours, he always has recommended, that there should be only two seasons for the lobster fishery for the Atlantic coast, that there should be a universal close season from July 15th to January 1st following, that is you could fish from the 1st of January to the 15th of July, how would that suit this coast?—A. That would suit this coast all right, there is nothing caught on this coast after July 15th.

Q. That is his recommendation for north of Cape Canso, and from the 1st of July to January 1st south and west of Cape Canso, that is giving them two weeks' shorter season south of Canso than you would have here, and insisting down there on a larger size limit on account of their being able to export their lobsters to market alive, to have a limit of 9 inches and enforce it.—A. I believe their lobsters are larger than ours.

Q. Yes, they come out of deeper water.—A. Out of deeper water.

Q. Do you think that the product of the canneries should be subject to inspection? You know that the tendency nowadays is to have all food products inspected?—A. Well, it is hard to inspect the meat after it is canned.

Q. You might say the same of other food products, canned meat, fruit, and many other canned articles of daily consumption are now inspected for the protection of the consumer.—A. I know they are pretty well inspected now. The lobster people you are going to send your canned lobster to are going to inspect the product of your factory pretty well, but a government inspector might be a useful man in cases of dispute between the packer and the purchaser, he could assist in settling the dispute.

Q. Do you think that we should insist upon a standard cannery, that the conditions in a cannery should be up to a certain standard. We find that in a great many canneries the conditions are very bad, the tables are very rough, some of them are unclean, in fact everything about them is unclean?—A. Yes, I think they should be inspected.

Q. It seems to me that if we are going to give every man a license, to increase the number of licenses granted, the simplest way for us to hold it in check would be to insist upon some standard with which the cannery must comply before the license is issued.—A. Well, I would think that you could not have everything too clean; you should have your table covered with zinc or some other material in order that it may be kept clean.

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Q. Some people have suggested marble, and some plate glass, which has been found to work very well in some places when laid in cement, as suitable covering for tables. Mr. Menier at Anticosti has a very large and elaborately equipped cannery, the tables of which are covered with marble, but of course everybody would not put up a cannery like that costing \$20,000.—A. There is certainly a great deal in keeping a cannery pure and clean, and there is no doubt it takes a great deal of labour to do that and you have to scrub and scald them in order to keep them clean.

Q. In some places they are using a table now covered with enamelware, a table is being manufactured now with a steel base covered with enamel, made to drain towards the centre.—A. That would be first rate.

Q. How about giving canning licenses to aliens, what do you think about that?—A. I think that those who first put money into the business are entitled to get the licenses. They were the first people to start the business here.

Q. As I undersand it their capital is the only thing that is 'alien' about it, they employ Canadian labour and purchase Canadian material to erect their factory and if we shut out foreign capital what are we going to do with the industries of the country that are carried on with that oreign capital?—A. It would not be right, they are good people, they treat our people all right and they deal fairly with them, and they were the first to begin the packing industry.

Q. Where both branches of the lobster industry can be carried on, which do you think is the most profitable to the fishermen, to sell to the canner or to engage in the live lobster industry?—A. I can hardly answer that question because we have not done any live lobster business here, it is all canning here.

Q. Is there any fishing done here out of season, during the close season?—A. I do not think there is.

Q. Or are any lobsters packed during the close season?—A. There is no packing whatever out of season.

Q. What do you think of the method of stamping the cases and putting labels on them, do you think there is anything gained by that?—A. I do not think there is, only a little trouble in getting the inspector to come and put the labels on when you want to ship them sometimes.

Q. I suppose all the fishing done here is done on the sea coast, you do not do any fishing on the lagoons and bays and inshore waters?—A. No, it is all in sea water.

Q. Do you think that the lobster fishing should be kept in a certain depth of water? On our shore there is a regulation that no fishing should be done in less than three fathoms?—A. I think that should be close enough, because I have seen in some parts of the season the traps exposed at low water. My opinion yet is that there must be some regulation, when the lobsters crawl off they are not likely to go very far, and there must be some better place to catch them than where we fish. I understand that to the southward they have to go a much greater distance off shore than we do.

Q. Oh, yes, they go ten miles off shore in some places?—A. And I understand there is good fishing out there.

Q. What would you say was the average earnings of an active lobster fisherman? What is the usual catch for a double-handed boat?—A. There is a very great difference in their catches, some that prepare well for it catch a great many more lobsters than others. I suppose some of them might make \$500, some of them \$200, and \$300. I do not know that on the whole the average fisherman here would make more than \$300, although, of course, some of them make very much more.

Q. That is practically for a couple of months' fishing?—A. They fish about two months, but they lose about two and a half months' time.

Q. Do they lose very much gear here?—A. Oh, quite a lot.

Q. They lose it, I suppose by rough water?—A. Yes. About this live lobster question I was just wondering whether it was any benefit to the fishermen when they lowered the size limit in the United States. My opinion was that the Americans

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lowered that for their own benefit. I believe that Nova Scotia is now sending about three times as many lobsters for about half as much money.

Q. Yes, they lowered the limit from 10½ to 9 inches?—A. Yes, and now they are not paying nearly the same money for more lobsters.

Q. But it has brought in a larger number of lobsters, there is no doubt about that. I do not think, though, that we are bound to follow them in the size limit. There is one practice that I do not see how it has been allowed to go on; the Americans come over and buy all the berried lobsters they can get and carry them back to Maine?—

A. That is a very bad practice, of course it is an international question, but it should not be allowed as far as our government is concerned.

Q. I do not know how we ever tolerated that sort of thing, and I cannot see how the Canadian fisherman would be blind enough and stupid enough to sell his berried lobsters for them to be carried away into another country?—A. That is quite so. On this eastern coast the water is very shoal and the lobsters here have never been as large as they were on the other coast. To give an instance of that, I had a brother who lived out near Main-à-dieu, he was inspector of the lobsters at Main-à-dieu and Louisburg; about ten years ago he was in the East on a visit and went into the factory and was looking over the lobsters I had there. I was not in at the time, but I was there when he came out and he said: 'I do not know how you can make decent pay, I never saw such trash in my lifetime.' But he did not see the small ones, that was at the time when the small ones were hid away, and that shows that there must be a big difference between the lobsters caught here and those caught at Main-à-dieu, when he made that remark without seeing the small ones.

Q. I think that as a rule, where you have an extensive shoal running out off-shore you must have smaller lobsters than where the water is deep.

Q. Can you give me from your records some idea of the catch of a good lobster fisherman?—A. I have the record here for 1901. In that year from the 15th to the end of May one fisherman got 4,959 pounds of lobster; he fished 16 days in June and got 8,095 pounds, and in July, it is only 4 days he has got here, but he might have carried his lobsters over, he fished until the 10th of July and he had 857 pounds. He is a man that you might call a fisherman, because he makes his living at fishing and he attended to his business. That is an actual record taken from our books.

Q. Have you another that you could give us? If you had two or three similar records we would be able to make an average?—A. Here is the account of another man who, in 1904, fished 11 days in May and caught 3,813 pounds; 20 days in June and caught 7,737 pounds, and 12 days in July, when he caught 3,544 pounds.

Q. At what rate was that man paid at that time?—A. In 1904 the price was about \$2.75, I think; the other man in 1901 was paid \$3.

Q. Are these men a long way above the average?—A. These are what I would call fair fishermen. One of these was a fisherman who made his living by fishing, the other man did not, he had a little farm which he worked afterwards, he only fished lobsters. Of course there are a few farmers who fish a few traps only.

Q. Against that there would be the cost of the man's outfit. He fished how many traps? and he had a boat worth how much?—A. The boats used here are worth about \$15.

Q. Not more than that?—A. That is what they buy and sell them for.

Q. That is a cheap boat?—A. It is only a 12-foot boat.

Q. And what number of traps would they fish?—A. About 100 traps.

Q. The traps here were worth how much apiece?—A. Material was cheaper then; outside their own labour these traps would not cost these men 35 cents apiece.

Q. Is that with the rope?—A. That includes rope and all. Of course the greatest cost of the traps is the labour, but they make them in the winter time when they have nothing else to do. To-day they cost a little more.

Q. What would they cost to-day?—A. The trap would cost almost one dollar when it is fit for the water.

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Q. What is the life of the trap?—A. It will stand three years.

Q. And what percentage of loss have they to reckon on annually?—A. Here they lose about one-half, some years more than that; this year they lost all of them, and other years they have not lost as much as that. I think about one-half is the average.

Q. The lobster fishery, I understand, is one that is paid for in cash?—A. It is paid for in cash.

Q. When is the engagement generally made between the fisherman and the packer to fish?—A. Oh, well, the price is generally made before the fisherman starts to fish, although some years he has started to fish before the price was fixed.

Q. You are out of it now, so that you can speak candidly on the matter. Do you think there is any combine on the part of the canners to establish a low price?—A. No, and there never was in my time, that is my experience.

Q. Is there anything else you would like to say, or is there anything that I have not asked you about?—A. I see Mr. Baker has suggested that there should be 25 cents a case paid by the packers, which would give \$40,000 as a fund available for the establishment of pounds. That is a large amount, and it has occurred to me that if they will pay \$4,000, the department could put a man in every factory to inspect it closely and prevent the use of any seed lobsters there. That would be a much cheaper method.

Witness retired.

WILLIAM KELLY, smackman, Lingan, C.B., called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster business?—A. About three years smacking.

Q. And before that?—A. I was not in it at all.

Q. Within what distance each side of Lingan do you run?—A. I only smacked on one side.

Q. That is to the eastward?—A. To the northward.

Q. How far do you go?—A. About four miles.

Q. Where does that bring you to?—A. To the Low Point lighthouse.

Q. What number of boats would you smack from in that area, about?—A. There would be about 8 or 9 boats.

Q. That is 8 or 9 boats that you collect the product of? When do you begin in the season?—A. I used to begin about the 1st of May, but I would not begin carrying lobsters then, I would be carrying material, freight, &c.

Q. You would be outfitting?—A. Yes.

Q. Before you begin to smack lobsters you have to carry down material, ropes, cordage, &c., for the fishermen?—A. Yes, whatever they wanted.

Q. What is the average number of traps fished by a boat?—A. I do not know, but I do not believe that up our way they would average more than 80 traps.

Q. Are they single-handed boats or double-handed?—A. Some are single-handed and some double; where there are two men they would have more traps than that, but I do not think they would have more than 100 or 120 traps at the outside.

Q. In what depth of water do they do their fishing?—A. I do not know; it would be more than 5 fathoms at the most.

Q. Do you visit them every day when the weather is fine?—A. Every day.

Q. What is the average daily catch of a boat along that shore, single and double-handed?—A. I do not think that a double-handed boat would average any more than between 300 and 400 pounds of fish.

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Q. That would be their average catch per day in good weather?—A. There are times they would have more than that, but I do not think it would be more on the average.

Q. At what point in the season is their average the highest?—A. In the first part of the season.

Q. Do they fish in the same depth of water all the season?—A. Well, as the end of the season gets closer they come in; if they kept their traps out at the same place they began they would not get any.

Q. Into what depth of water do they generally come then?—A. Into one fathom and two fathoms.

Q. Do you notice any difference in the quality of the lobsters after they move in?—A. Well, they are smaller.

Q. Are they smaller later as the season goes on?—A. Yes, they get smaller.

Q. When you get inshore you get smaller lobsters?—A. Yes.

Q. Can you give me any idea of their run; how many lobsters are there below the 8-inch limit; what percentage is there below that limit at the various seasons? In the beginning of the season I suppose you do not see many?—A. At the time they were allowed to take them I weighed them for a few days, and I know that if a man had about 300 lbs. of lobsters he would have about 50 or 60 small ones.

Q. Is that percentage greater at one part of the season than it is at another?—A. The later it is in the season the more small lobsters I would expect to get.

Q. And as to the berried lobsters, what about them?—A. There are a good many of them.

Q. What becomes of them?—A. Some of them are washed off.

Q. And I suppose in other cases they are brought in; that is what we find in most places?—A. There are none brought in that are seen at all, but they get mixed up with the rest, some of them. We never bring in any that we see.

Q. They do not come to the factory here; you do not bring them in?—A. No.

Q. Have you any knowledge—you have not been looking for them perhaps—how many berried lobsters there will be to the hundred? Of course you do not handle them in the smacks and you cannot tell us exactly?—A. I do not know, but I would not say that there would be more than 5 or 6 to the hundred lobsters.

Q. That would be a pretty large percentage, would it not?—A. Yes.

Q. Now, the lobsters, when you get them, are generally pretty fresh, are they?—A. Oh, yes.

Q. How long are you making your trip, one day with another?—A. You will get the lobsters from the fishermen somewhere about 10 or 11 o'clock, and you will get in here at the factory somewhere about 12 o'clock.

Q. That is not very long; you land these lobsters in pretty good condition, then?—A. Oh, yes.

Q. Do you know whether the egg-bearing lobster is more feeble than the others? Will she stand the same amount of hardship and exposure?—A. I do not know.

Q. You have never carried them?—A. No.

Q. Does your smacking generally continue up to the end of July?—A. No, only until the time the factory shuts up, whatever time that is.

Q. Taking the three years that you have been smacking, when do they generally shut up?—A. On the 15th of July, or sometimes before that.

Q. Why do they give up then?—A. The lobsters are scarce and the fishermen are giving up because they are not making enough at it to continue for the other two weeks.

Q. So that, as a rule, the canneries very seldom keep on up to the actual close of the season?—A. No, they do not.

Q. As to the price of the lobsters, you have nothing to say, have you? Do you hear much complaint from the fishermen as you go along the coast that they are not getting enough for their lobsters?—A. Some years there were complaints.

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Q. This year especially there were complaints, I suppose?—A. I was not smacking this year.

Q. What style of trap do they mostly use here?—A. They use what they call the parlour trap.

Q. The old-fashioned trap has altogether gone out of use?—A. Yes.

Q. Are there any of the old-fashioned traps being fished at all anywhere in this neighbourhood?—A. No.

Q. You do not know whether they took a larger run of lobsters when they were using the old-fashioned trap?—A. I do not know.

Q. In some places it has been stated that the fishermen who fish only the old-fashioned trap bring in a larger run of lobsters, not so many small ones?—A. I suppose it is because there is so much room between the slats for them to go out that the smaller ones get away.

Q. Have you any idea what is the best thing to do, or what should be done with the berried lobster?—A. I do not know much about that.

Q. What bait do they generally use here?—A. Herring.

Q. Do they use mackerel gibbs at all?—A. There are very few mackerel caught here.

Q. What other fishing do these men carry on here after giving up the lobster fishery?—A. Cod fishing.

Q. Do they not get mackerel here in the fall?—A. Very few.

Q. What is the value of a trap?—A. They calculate them at \$1 each.

Witness discharged.

Commission adjourned.

LITTLE BRAS D'OR, C.B., August 24, 1909.

GEORGE STUBBART, fisherman, Little Bras d'Or, called and sworn:—

By the Commissioner:

Q. You are engaged in the lobster fishery?—A. Yes.

Q. How long have you been engaged in it?—A. Well, off and on, about 23 years, from the time Mr. Baker first started in here.

Q. You have always fished from this neighbourhood?—A. Always from this neighbourhood.

Q. What cannery did you fish for this summer?—A. It is called the Snowflake.

Q. Who are the owners of it?—A. That is pretty hard to tell, some years it is owned by one firm and some years by another.

Q. What is the name of the firm operating it?—A. Baxter Bros.

Q. Have they been carrying on canning here very long?—A. For some years.

Q. Do you fish your own boat and gear?—A. Yes.

Q. Do all the fishermen here do so?—A. Yes, now they do.

Q. Did they not do so formerly?—A. They did not, some years ago when Baker was first here he found everything, boats, gear, bait and everything. After that they got to find their own boat and Baker found the gear, and after Weatherall came to us he found the gear, and finally he dropped that, then some found their own gear, and he found the gear for those who wished it; finally it came down a few years ago that everybody had to find their own gear, boats, bait and everything.

Q. In what direction do you fish from here, how far off?—A. About a mile and a half.

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Q. Off the shore?—A. That would be at the outside, and we fish from that distance in.

Q. In what depth of water do you usually fish?—A. From ten fathoms up to four and three.

Q. At what depth do you generally begin?—A. We begin in about ten fathoms at first in the spring.

Q. How long do you fish out there?—A. About, I suppose, near the 1st of July and then we begin to move in.

Q. At what date do you generally begin the lobster fishing, take one season with the other?—A. The first of May is the time for starting, but sometimes the weather will not permit us to start as early as that.

Q. At what time do you generally begin?—A. On the average the 6th or 7th of May.

Q. What is to prevent you beginning earlier?—A. Mostly the ice.

Q. What number of traps do you fish?—A. From 100 traps down, probably some may fish 120, but generally one man would fish from 100 down.

Q. That is 100 traps for one man?—A. Yes.

Q. Are the boats generally manned by one man?—A. Some are and some have two, but mostly they are manned by one.

Q. When there is more than one man there are more traps?—A. Oh, yes.

Q. You fish in about ten fathoms of water up to what date?—A. Somewhere between the 15th of June and the 1st of July, as the fish begin to move in we move in our traps too.

Q. And then you come in to about four fathoms?—A. Probably three or four fathoms.

Q. At what time of the season do you get the best fishing?—A. The first of the season, the earliest we can get out is the time when we are supposed to get the best fishing.

Q. What kind of a run of fish do you get early in the season?—A. A fairly good run.

Q. How does it compare with what you get later?—A. It is not the same at all.

Q. In what way?—A. In size.

Q. Are the fish as abundant at the end of July as they are at the end of May?—A. Oh, no, that is when the fish are quite scarce; in fact after the 1st of July the catch is very small.

Q. Is that in size or in number?—A. It is small in number and small in size, both.

Q. The fish run smaller then?—A. Yes.

Q. Can you give me any idea of the proportion of fish you take below the legal limit of 8 inches, how does it run here?—A. What percentage do you think would be below the 8-inch limit?—A. You mean at the first of the fishing?

Q. Yes, at the first of the fishing, if you like?—A. Oh, well, I do not know.

Q. Just about, give it approximately?—A. I guess about one-fourth of them would be small.

Q. That is in the early part of the season?—A. In the early part of the season.

Q. And will that proportion increase as the season advances?—A. Oh, yes.

Q. And towards the end of the season what would you say the percentage of the small lobsters would be?—A. We would not get one-half of the legal size at the end of the season.

Q. As regards the female lobster with berries extruded?—A. 50 per cent would be below 9 inches.

Q. Below 8 inches, that is the legal limit?—A. I do not say that 50 per cent would be below 8 inches, below 9 inches.

Q. What proportion of them would be below 8 inches?—A. There wouldn't be but a few, but they wouldn't be very far from it.

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Q. As to the berried lobsters, when do you meet with them?—A. At any time.

Q. When you first begin fishing do you meet them?—A. Yes, we meet with them at the very beginning; in fact I have seen them here late in the fall when they are thrown up on the shore by the storm, I have seen egg lobsters.

Q. Are they any more numerous at one time than they are at another?—A. About the 1st of June.

Q. About the 1st of June they are more numerous?—A. Yes, I would say so.

Q. Do you notice that the eggs are not always in the same condition, that they are riper at some times than at others?—A. Not at that time.

Q. When do you find them riper?—A. Later on, late on in July.

Q. What would you think is the spawning time of the lobster?—A. Here?

Q. Yes.—A. Oh, I do not know, I suppose July would be the spawning month.

Q. July?—A. I think it would be.

Q. What has been the practice here—of course you know that the regulation says that lobsters under 8 inches should not be taken, and that berried lobsters should not be taken—what has been the practice here? Is it to bring everything to the cannery?—A. Well, I do not say everything. Of course as for the spawn lobster, I will say that the packers have always forbidden us bringing them; they have always done that. Of course I do not say that it is the wish of the packer that any spawn lobsters go there, because they have always forbidden us as far as I am concerned to bring spawn lobsters to the cannery.

Q. How about undersized lobsters?—A. Oh, well, of course I can say that there have been small lobsters go to the factory. The thing is that if we could not sell our small lobsters we would not fish at all, because we would have nothing to fish with.

Q. Then what has been the practice with regard to the berried lobsters? The canner refused to accept them, then what happens?—A. As far as I know they are thrown away.

Q. Is that the regular practice here?—A. That is the regular practice here; when you catch them you throw them away.

Q. Has the practice of washing the eggs off been followed to any extent here?—A. Not that I know of; of course I can only answer for myself.

Q. What style of trap is in use here?—A. We use the jail trap.

Q. When did that style of trap first come into use?—A. I think it would be about ten years ago.

Q. What is the particular merit of that trap over the old-fashioned double-ender?—A. It is a much better trap.

Q. In what way?—A. It saves the lobsters which get in there.

Q. It holds all the lobsters it gets?—A. Yes.

Q. What space do you allow here generally between the slats in the trap?—A. I do not know; it is very hard to tell that because everybody does not make them alike. I do not suppose there are two fishermen on this coast who make their traps alike. Some have them one style and some another; some fishermen build them with four heads and some think three are enough; there is a difference of opinion.

Q. I wanted to know what space is generally allowed between the slats?—A. I think it is from one inch up.

Q. You think it is not under an inch?—A. I do not think.

Q. What is the mesh in the net at the ends of the trap?—A. About 2½ inches.

Q. Do you think it is 2½ inches?—A. I think so, about 2½ inches.

Q. What is the condition of the fishery to-day compared with what it was when you first began fishing?—A. There is quite a difference.

Q. Explain in your own words how the industry stands to-day?—A. Well, as far as I know, I have known one man in a boat having a 14-foot keel to fill that boat as full of lobsters as she can carry.

Q. With what number of traps?—A. About 100.

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Q. How long ago is that?—A. That is 20 or 21 or 22 years ago; I suppose about 22.

Q. Would he do that to-day?—A. No, sir, he could not get the half of it to-day.

Q. What is the cause of that decrease? To what do you attribute it?—A. There may be several causes; of course I suppose probably it may be that the fish are getting caught up; it may be that at that time there were very few fishing, and of course now there are quite a number. I suppose there are more coming into it every year, and probably the spawn fish are getting destroyed, I do not doubt but what they are.

Q. So these are the reasons you think why the fishery is decreasing?—A. I suppose so.

By Mr. Mackenzie, M.P.:

Q. How is the total catch? Do you know anything about the catch? Does the cannery receive as much fish now as they used to?—A. That is something very hard to answer, because it is very hard to find out from these packers what their pack is. They mostly say they have not done anything, and when they say that it is very hard to find out really what their pack is.

Q. You do not know what their pack is, do you?—A. I do not know. Of course these men that are in the employ of the factory, the sealers and those working in the factories would have a better idea than the fishermen would have.

By the Commissioner:

Q. How does the number of lobster fishermen compare with the number when you first started?—A. I believe there are double as many.

Q. Are they fishing any more gear?—A. I do not think there is any increase in the quantity of gear. They used pretty much the same quantity then as they do now. I do not think they do on the average use more.

Q. What arrangement is there between you and the canners with regard to payment for the fish? What price did you receive this year?—A. At the start we got \$2.

Q. Two dollars, that is per cwt. or per hundred fish?—A. In weight, at the first starting, and then there was one packer down the north shore I think went up 25 cents and the rest of the packers had to follow, so they all went up the same.

Q. They all went up?—A. Yes.

Q. Did that advance cover the whole season?—A. No, from the 15th of June on.

Q. What price used you to receive when you first began fishing?—A. When we first began fishing Mr. Baker started at 50 cents and found everything.

Q. That was per hundred fish, by count?—A. Yes, by count.

Q. When did they change to weight?—A. A short while before Mr. Baker left.

Q. When was that?—A. I think he ran three years here.

Q. How long ago was that?—A. Twenty years.

Q. What led to that change?—A. That is something I cannot tell.

Q. Was it not because the fish began to run small?—A. Oh, no, I think the fish are just as good to-day on this shore as ever they were. I think so as far as the size is concerned the fish are just as good here as they ever were.

Q. Are they just as large?—A. I think so. We got big fish here at the start, and they slacked off small at the end of the season then as they do now.

Q. Do you get as big fish now and as many of them?—A. Not as many of them.

Q. And you are fishing more boats and more gear?—A. Certainly.

Q. What price did you receive last year?—A. \$3.50.

Q. And the year before?—A. The year before it was \$3 or \$3.25, I am not sure which now.

Q. What reason did the canners give you for the decrease in the price this year?—A. That the price had gone down in the market, and they could not afford to give any more.

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Q. When did you learn that?—A. That was just before the beginning of the season.

Q. How are the lobsters generally paid for, is it a cash transaction? Are the fishermen all paid in cash?—A. Yes, of course. One factory pays the fishermen with cheques on the bank, and the other pays in money. Of course it is all cash.

Q. What are the most of those who fish lobsters here? Are they genuine fishermen, regular fishermen who fish all the time, or are they people having other occupations who only fish lobsters?—A. I think the most of them only fish in a certain season, and then they work in the mines and on the farms after that, but most of them generally take in the fishing season.

Q. As soon as the lobster fishing is over the fishermen can go into cod fishing, can they not?—A. Yes, some of them, and some of them are on farms and some work in the coal mines.

Q. Have you ever remarked with regard to the berried lobster, the female lobster with berries, are they generally a fair run of lobsters or are they small?—A. Generally they are the largest lobsters.

Q. Have you noticed what is the smallest lobster you have ever seen bearing eggs?—A. I cannot think I have ever seen one under 8 inches.

Q. What is your idea if the regulations with regard to the size limit were strictly enforced, would it put the canner out of business here? Can he continue his canning operations?—A. Yes, I think it would put him out of business.

Q. You told us a little while ago that very few would fish at all if it were enforced?—A. Yes, it would put him out of business.

Q. To your knowledge, have the cannery ever made any strict examination when the lobsters were brought to them to see that they do not receive any berried lobsters?—A. Well, they have; they have with me, I know.

Q. Would it be difficult in handling a large quantity of lobsters at the cannery to detect the berried lobster?—A. Yes, it would.

Q. If the canner refused to accept the berried lobsters, as you say, would it have the effect of inducing the fishermen to throw them overboard, to return them to the water?—A. Of course it would if they would not take them at the cannery at all.

Q. You think it is done?—A. Of course, I do not know whether it is done or not, I cannot say, I can only answer for myself and it has never been done with me; they never took them from me unless it was when they did not know it.

Q. You recognize it is right that the berried lobster should be saved and protected?—A. It should for the good of the fishery.

Q. Do you think there is any more inclination on the part of the fishermen to-day to protect the berried lobster than there used to be?—A. There is with some, but of course it may not be so with all. I think, however, that the majority of the fishermen are against taking spawn lobsters. Of course there are a few, no matter what business you are in, who differ from the rest.

Q. Is there a fishermen's union in this place?—A. There was.

Q. Is it not now in existence?—A. No, it has not altogether gone out of existence, but it is not really very strong at present.

Q. What is the number of the Union?—A. It is Station No. 17.

Q. What do you think would be the best way, speaking from your knowledge as an experienced fisherman, to get the fishermen not only here but everywhere, to return the berried lobsters to the water?—A. I suppose if they got a bounty for them they would do it.

Q. But why should they require a bounty for them? Is it not in their own interest to protect them?—A. Of course it is, but there are lots of things that are in the people's own interests, but they do not really look into it and some suffer on account of what the others do.

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Q. What proportion of the total catch would be berried lobsters? How many out of every hundred?—A. There were not many this summer.

Q. But take them one season with another?—A. Oh, I do not know, it is not a large percentage.

Q. So that it would not be a ruinous matter to the fisherman if he did put them back into the water?—A. No, of course it would not, although being that they are the biggest lobsters always it does make a difference.

Q. Do you know anything about the matter of pounds or hatcheries?—A. No, I do not know anything about them, but I do not think they are of much use.

Q. Why do you object to the pound or hatchery, whichever you do object to? Take the pound, what is the trouble with the pound?—A. I do not think any fish are going to hatch and breed in confinement the same as they will do under natural conditions, and I do not think that the water in the pound is as clear and will preserve the lobsters as well as will the water in the ocean.

Q. That would depend upon the nature of the pound, and whether the tide flowed freely through it?—A. Yes, that would; but again, when they are taken from the pounds and are let out they have more chance of being destroyed by storms and other fish than they would have if they had been at large all the time.

Q. That is the young lobsters?—A. Yes, the young lobsters.

Q. But where they are hatched out in the natural conditions they run the same chance then, they come to the surface?—A. They do, but they are not all gathered together into a small mass like they are in the pounds.

Q. As to the hatchery, have you any knowledge how the work is done in the lobster hatchery?—A. No, I have not.

Q. Now there have been various propositions made to the department from time to time, as to the best way of preserving the lobster; various suggestions have been made. The first suggestion is to close down altogether for a term of years, universally, all over the coast, what do you think of that?—A. Well, I do not know about that, I do not see what good it would do.

Q. Would it not allow the lobsters to recuperate and grow again?—A. Of course it might, but that would not be any good to the fishermen who are at present in the business.

Q. Do you not think it necessary to do something for the fishermen who are coming afterwards?—A. It may be, but I do not think it would be much good for those who are in business now.

Q. You would not think that would be a satisfactory remedy?—A. I do not think it would be wise.

Q. The last Lobster Commission—I do not know whether they came here, or whether you met them or not in 1898?—A. I do not think——

Q. They made a recommendation advising the closing down of the coast by sections; that is one part of the coast would have a close season one year, and that close season would be moved around so that it would gradually cover the whole coast. How would that appeal to you?—A. Oh well, I do not know; it might work out all right.

Q. Other suggestions have been made, among them the doing away with the size limit altogether. It appears that the regulations never have been very strictly enforced?—A. No.

Q. Has it been enforced at all? At all events that is the proposition on the part of some people to do away with the size limit, always protecting the berried lobster as strictly as possible and somewhat shortening the season. The general opinion is that the last few days of the season is the time when the greatest harm is done in the catching of small and berried lobsters. How does that appeal to you?—A. Our season could not be much shorter than what it is.

Q. You do not fish up to the end of July?—A. Sometimes we are very late in starting.

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Q. As a rule do you fish right up to the last day of the season?—A. Yes, the last day in July.

Q. Do they not begin to slack off before that?—A. Most seasons they do, although I have seen some seasons when the fishing at the last of July was about as good as the first, but this season it was not.

Q. At that season are there not other fisheries to which the regular fishermen could devote themselves? You begin to fish immediately for cod, do you not?—A. It would suit some, but the majority of the fishermen it would not. You know there are a lot of fishermen that fish lobsters in small boats, and they have not any other boat except that which they take lobsters in. Those who have big boats, it will suit them all right, because they can go out. After the month of July the fish begin to move off, and these fishermen with small boats cannot follow them.

Q. Those who fish small boats are not regular fishermen, are they?—A. They fish lobsters and then they go to some other employment.

Q. As to the matter of licensing canneries, do you know that the policy of the department now, and for some years past, has been not to increase the number of canning licenses. Do you think there are canneries enough?—A. Oh well, of course I do not know about that. I know there are enough to take all the fish we get, there is that all right.

Q. Do you think that if the number of canneries was increased it would be better for the fishermen?—A. I do not see if there were more canneries we would get a better price, I know now, they take all the fish we have.

Q. Do you think that an increase in the number of canneries would have the effect of exhausting the fishery?—A. Providing there were more boats fishing than there are now, I suppose it would. There are now as many boats here as when there were three or four canneries.

Q. I suppose you know that the department, within the last couple of years, have decided to issue what they call co-operative licenses, to enable a number of fishermen to group themselves together and pack lobsters. What do you think of that?—A. I think it would be all right if they had the capital to do so.

Q. Of course it requires some capital. Is there any competition at all in the matter of price, or are you bound to accept a fixed price? Do you think there is any combine on the part of the canners to keep the price down?—A. I do not know that, I know this spring we had to take what we got.

Q. Was this the first time that this trouble has occurred?—A. Well, I think so; I think it was.

Q. It is understood that it is due to the sudden drop in price of the canned article last year?—A. That is the report we got.

Q. Is there any opportunity here to carry on the live lobster industry?—A. No, there is not any.

Q. Why not?—A. Well, I do not know, I do not know what is the trouble.

Q. Has it ever been tried?—A. It has never been tried that I know of.

Q. Do you think that facilities exist for carrying it on? It requires fast transit, and quick carriage to market?—A. Yes, that is to the Boston market.

Q. Yes, and there several other markets, Montreal, Quebec and Toronto, but you think the facilities do not exist here. Anyway it has never been tried?—A. It has never been tried.

Q. Have you any idea which is the most remunerative branch of the lobster industry to the fishermen, the live lobster trade or the sale to the packer?—A. Of course that is a thing it is very hard to decide on. If the fish continued the same size right up to the end of the season as at the first it would be different.

Q. You told me a little while ago that you thought there are as many large lobsters as ever there were?—A. But you know that after a certain time in the season we do not get large lobsters, they are smaller then you understand. It would be all right in the first part of the season, but in the latter part of the season it would not.

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Q. Why is it you do not get large lobsters all through the season?—A. That is something I do not know, and I do not know of anybody who can tell you why.

Q. Do you think they go back into deep water, do not come inshore?—A. Well, probably they do.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. Well, of course that is something I could not tell you because I have never had any experience in it. We have always sold our fish here and that is something I do not know anything about.

Q. What suggestion would you make yourself as to the best method of protecting the fishery and preserving it?—A. I would save the spawn lobster.

Q. And what, in your opinion, is the best way to save it?—A. Oh, there might be many ways of saving the spawn lobster. Of course there is one way, if everybody would do what is right nobody would take them. But the trouble is, I suppose, that probably everybody does not do that.

Q. You think a bounty should be put on it?—A. Well, you might do that, sir.

Q. How would you go to work to provide the money with which to pay the bounty?—A. Do you not think the government could give us a bounty on it.

Q. The government give you a bounty?—A. You would think so.

Q. I would not think so?—A. Is our fishing industry of no benefit to the government in any way?

Q. It is a benefit to the people, I suppose, but I do not see myself why the fishermen should receive any bounty—I am not here to express any opinion, but since you asked me I do not see why the fishermen should receive a bounty for saving that which it is to their own interest to save?—A. I look at it this way, if there are no people there is no government, and what is for the welfare of the people should be for the welfare of the government. If the people are all prosperous the government should be prosperous, and if they are not prosperous it would affect the government.

Q. Do you think we should increase the tax on the canners and out of the increased tax raise a fund to pay for the berried lobster, if we have to pay for her?—A. I do not know.

Q. Do you think there would be any object in sending someone down to meet the fishermen and to explain to them the necessity for the protection of the female lobster?—A. I suppose it would.

Q. You think it would have a good effect?—A. I suppose it would.

Q. Do you think that the fishermen are beginning to realize the necessity for saving her?—A. I think there are still a great many fishermen who look at it this way, that it is hard to throw away the spawn lobster, what they really labour hard for, the best lobster they get. A good many look at it that way, that it is hard to throw her away.

Q. Could not they be made to understand that in a very few years if they would protect that lobster they would be reaping the benefit from it?—A. Some would.

Q. Do you not think yourself they would?—A. I think they would. The fishermen in general are a class of men who never get very much, they never seem to get very much except what they earn, they are a class of men that pay taxes honestly like all other men do and they are a class of men that in general get very little for nothing. they only get what they work hard and honestly for.

Q. Is there any fishing done here after the close of the season, or is the close season strictly observed?—A. Oh, yes, it is observed.

Q. There is no canning going on here after the close of the season?—A. No, sir.

Q. Do you wish to add anything else to what you have already said? Is there anything I have not covered?—A. I do not think there is anything else. Of course I know there should be something done about the seed lobster, I know that something should be done about that, because if the spawn lobsters are not preserved we know that the fishery will not stand it, that is sure. Destroy the female of any specie and you destroy the race.

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Q. And it will be the same if you destroy the immature, the young ones who have not reached the age of reproduction?—A. Yes, but still the lobster under 8 inches is very small, and I do not think there is any considerable quantity under 8 inches taken. A person would not be bothered with lobsters so small as that at all.

Q. How small do they can them?—A. I do not know that.

Q. Have you any idea how many 7 inch lobsters it takes to fill a one pound can?—A. No, I have not.

Q. It takes nine, by actual count?—A. I suppose it would.

Witness discharged.

JOHN McDONALD, fisherman, Little Bras d'Or, C.B., called and sworn:—

By the Commissioner:

Q. How long have you been fishing?—A. About 14 years.

Q. Always here at Bras d'Or?—A. Here and at Point Aconie

Q. But always in this neighbourhood?—A. Yes.

Q. At what season of the year do you generally begin fishing?—A. Somewhere about the 7th of May.

Q. That is one season with the other?—A. Yes, one season with the other.

Q. In what depth of water do you generally begin fishing?—A. In about 10 fathoms.

Q. How long do you fish out there?—A. I have been fishing there all season, some years I have never shifted.

Q. What was your experience when you fished in deep water all season, did you get more lobsters?—A. I got about the same.

Q. I suppose in those seasons you remained out there you did not find the lobsters slack off?—A. I did.

Q. But you preferred to remain out there rather than to come in?—A. There were a few years I did.

Q. When you did shift in what was your experience? Did you find a better run of fish in the early part than in the latter part of the season?—A. We had larger fish.

Q. Do you think when you got a better run of fish that you got as many?—A. We sometimes got pretty large lobsters coming on towards the last of the season.

Q. What bottom do you generally fish on?—A. On a rocky bottom.

Q. On a hard, rocky bottom?—A. Yes.

Q. How long do you generally fish, right up to the close of the season?—A. We do not very often fish until the end of the season.

Q. When do you generally knock off fishing?—A. About the 1st of July.

Q. Do you knock off as early as that? What do you go at then?—A. Generally from the 1st to the 15th of July we knock off, and then we go to the cod fishing.

Q. What number of traps do you generally fish?—A. About 110 or 105

Q. Do you fish alone in the boat?—A. I fish two hand.

Q. Are you a member of the Fishermen's Union?—A. I was.

Q. How many other boats are fishing in this particular place where you fished? About how many?—A. Do you mean from this port, altogether?

Q. How many boats fish, say in this harbour?—A. I suppose there would be about 40 or 50 boats.

Q. Are they all fishing for the one cannery?—A. For the different canneries.

Q. How many canneries are there?—A. There were five this year.

Q. Where are these canneries situated?—A. Levisconte and Leslie, at South Bar, and two canneries of the Baxter Bros.

Q. Is there not a cannery here belonging to the Portland Packing Company?—A. There might be.

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Q. Who are the owners of these canneries, are they residents of the place or are they strangers?—A. These companies are American, as far as I can understand.

Q. Are the managers local men?—A. One is a local man.

Q. What sort of trap do you use in your fishery?—A. I use the four-headed trap.

Q. Did you always use that trap?—A. No, I did not.

Q. How many years have you been using them?—A. About 10 years, I suppose.

Q. Can you give us any idea as to the practice followed here with regard to the space between the slats? What space do they generally allow? You make your own traps, do you not?—A. Yes, I make them.

Q. What gauge do you use in spacing the slats?—A. I generally nail them with a small axe, and I allow the width of the pole of the axe.

Q. How much would you say that space is, an inch?—A. It is over an inch.

Q. What mesh do you leave in the net at the head of the trap?—A. I could not really say, but somewhere about a 3-inch mesh.

Q. That is extension measure?—A. Yes.

Q. What size lobster do you think could get through that gauge and that mesh?—A. They would not get out very large through that mesh.

Q. But quite a good-sized lobster could get out through that mesh, could it not?—A. Yes, quite a size.

Q. Do you fish any more gear now than you did when you began to fish?—A. Some more. I was not very old when I began to fish.

Q. Taking one man with another, have you to use more gear now in order to keep up your catch?—A. I don't think.

Q. Do you think that a man makes the same average catch now that he did 20 or 25 years ago?—A. No, they do not, but there are more fishing.

Q. What does the ordinary lobster fisherman make now in a season?—A. On an average I suppose there would not be more than 5,000 lbs. of lobster; the average catch is between 4,000 and 5,000 lbs.

Q. That is for a double-handed boat?—A. Oh no, what I say was for the average fisherman.

Q. For the average boat, then?—A. For the average fisherman.

Q. A two-handed boat would make more, and of course a single-handed boat would make less than the two-handed. What price do you receive for your lobsters?—A. \$2.25.

Q. That is by weight?—A. By weight.

Q. When did the practice of buying by weight begin here; in some places we find they are still buying by count?—A. It was by count when I started.

Q. When did you change?—A. It was by weight before that, and there was a company came, and they started taking them by count.

Q. What way would you rather sell them?—A. By count.

Q. What percentage of the fish you catch would be below 8 inches?—A. Do you mean the season through?

Q. Yes?—A. That is the proportion of the fish in number or in weight?

Q. Well, I mean out of every 100 lobsters you take, how many would be below 8 inches?—A. I suppose, taking the season through, there would be about one-fifth.

Q. That would be 20 out of every hundred?—A. Yes.

Q. Then as to the berried lobster, what percentage of them do you find, how many out of every 100 lobsters bear berries?—A. We sometimes get a good many.

Q. Can you tell me how many?—A. We have had as high as 30 in the morning.

Q. Out of how many lobsters?—A. About 1,000 lbs.

Q. Does it continue all through the season at the same rate?—A. Oh no, that is at the first of the season.

Q. And how is it at the last of the season? When do you see the most of them?—A. Oh, I don't know, it is just about the same all through.

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Q. It is the same all through?—A. Sometimes, some years, they are more plentiful than others.

Q. You do not think then, from what you say, that they are more numerous at the close of the season when you are fishing in shoal water, than they are earlier in the season when you fish in deep water?—A. Oh yes, the nearer you come to the shore, and at the close of the season you get more seed lobsters, they come in on the rocks.

Q. What do they come in for, do you think?—A. For spawning.

Q. About the berried lobsters, has it been your practice to throw them away?—A. Yes, it has been for the last four or five years.

Q. You did not always throw them away?—A. For the last four or five years I have thrown them away.

Q. What induced you to do so?—A. I had an understanding between myself and the other fishermen that it was the best thing to do.

Q. Do you not think that feeling is increasing among the fishermen generally? Have you not talked to the other fishermen about it?—A. I have, yes.

Q. And what do you think about it, is there a feeling among the fishermen generally that the seed lobster should be saved?—A. There is, but I think there are some who will not throw them away.

Q. Do you think that the practice of brushing the berries off the seed lobster is carried on to any extent?—A. I could not say as to that.

Q. We know that it is in some places, some fishermen have been frank enough to tell us, 'We always do it.'—A. I could not say.

Q. Now as to the matter of price, how is the price regulated between the fishermen and the packers?—A. I do not know that it is regulated at all.

Q. But it is fixed by somebody?—A. It is fixed all right, they fix it.

Q. The price is fixed, and you have to take it or do without it, is that it?—A. That is what it seems.

Q. Has there ever been any competition in that respect when you had more canneries?—A. There was.

Q. Some cannery might give you a little more than others?—A. Some would raise the price if they wanted the lobsters.

Q. How are the lobsters collected here, do the smacks go along the coast and collect them?—A. Yes.

Q. All the lobsters here are smacked?—A. Yes.

Q. Are there rival smacks or not? Will one smack offer a little more than another?—A. They have not, of late years, there was some rivalry some years ago.

Q. But there has been none of late years?—A. No.

Q. Is it your opinion that there is any combination or agreement, or arrangement between the packers to stick to a fixed price? What do you think about it?—A. It would be my opinion that there is an agreement.

Q. You think it looks like that?—A. Yes.

Q. Do you think that the combine extends over the whole coast of the province, or of Cape Breton, or is it only an arrangement among the local canners?—A. As far as I can learn the canners on the coast say they cannot afford to give more, that is all I know about it.

Q. Do you think that the various companies put their heads together and arrange that they will not compete in price?—A. We had an understanding to that effect last spring, but the talk died out, and there is nothing more to it.

Q. As to the matter of licensing these canneries, you know that the policy of the department has been to restrict the number of licences, to keep the number down; do you think that ought to continue or should every man that wants one get a licence to pack?—A. It would not be any special benefit or hurt to the fishermen, no matter how many licences were granted I do not think it would hurt the fishermen.

Q. Why not?—A. I do not see why it would.

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Q. Do you think an increase in the number of canneries would not mean an increase in the amount of fishing done?—A. I do not think so. Anybody that knows this place knows that there would not be any more fishermen in the end.

Q. What do you think of the present policy of the department, allowing a number of fishermen to associate themselves together and get what is called a 'co-operative' license. Do you think that would meet the difficulty in regard to the friction with the canners?—A. I do not know, I am sure.

Q. That was the object of the minister in issuing the co-operative licenses. When the fishermen complained about the packers the minister said, 'If a number of you will band together I will give you a license to pack your own lobsters,'?—A. If the fishermen got a fair price for their fish, I believe myself if they were sold we would have no more bother with them, and it would be just as well for the fishermen to sell as to pack. I do not think there is much in the co-operative license, there may be for some, but for myself I do not want to have anything to do with it.

Q. Have the canners in your neighbourhood ever objected to accepting the berried or under-sized lobsters, or do they take everything you bring to them?—A. I do not bring in my lobsters to the factory, I let them go to the smacks, but I am not asking them to take berried lobsters.

Q. But what about the under-sized lobsters?—A. Well, with regard to them there was not much restriction.

Q. The smack man does not object to taking them?—A. The smack man does not want to take them in some cases. They do not want, anyway, to take the berried lobsters.

Q. If the canner refused to accept the undersized lobsters what effect would it have on the fishermen?—A. They would have to throw them away.

Q. Would he still catch enough to permit him to keep on fishing?—A. That would be according to the price and the season.

Q. Could he continue according to the present prices?—A. At the present prices we would make nothing.

Q. Would you knock off fishing?—A. We would not fish.

Q. Has it been the practice to avoid dealing with the canner who was known to be careful or scrupulous on that point of accepting undersized or berried lobsters? Some canners have told us that they have to take them, or if they do not they would lose their fishermen?—A. Well, I believe they tell the truth.

Q. What is your idea of the best way of protecting the berried lobsters?—A. Throw them away when we catch them.

Q. If that can be done everywhere there is no doubt that it is the simplest, the straightest and the best way, but there are other ways of looking after them. What do you say of the matter of placing them in pounds? Paying the fishermen who catch them to preserve them and have them delivered to some one appointed to receive them?—A. If the pound is carefully looked after it would be all right. There is a pretty good place here for a pound.

Q. Is there?—A. I think so.

Q. There ought to be when you have so many islands here. You know what is required for the pound, I suppose?—A. I have an idea of what is required, and I think that the entrance to the Bras d'Or would be a pretty good place for a pound.

Q. You want some shelter and a considerable depth of water with a free flow of the tide?—A. You have all that here.

Q. Do you know anything about hatcheries?—A. No, sir, I do not.

Q. Now, as to this matter of fishing for the live lobster market, have you any experience whatever in that?—A. I have never shipped any.

Q. Has it ever been tried here?—A. It has never been tried here, but it has been tried to the southward at Gabarus.

Q. Do you know anything about how it turned out?—A. I do not know.

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Q. Where the live lobster trade can be carried on, which is the most profitable for the fisherman, the live lobster trade or the canning?—A. It will be a matter of price.

Q. You do not know what price they get for the live lobster when shipped to the market?—A. I have an idea of what they got for some.

Q. Which do you think is the most profitable branch of the lobster industry?—A. I could not say.

Q. It has been alleged that in some instances the fishermen have suffered injury by the failure of those holding canning licenses to operate their factories, although a sufficient supply of lobsters was available. Do you know of any instance of that kind?—A. No.

Q. What do you think of the various propositions that have been made for the purpose of remedying the existing conditions as I explained them to Mr. Stubbart? The first one was that there should be a closing down altogether for a term of years; the next one was that the entire coast should be closed down in sections, successively, another proposition was that we should do away with the size limit and shorten the season by ten days or a fortnight?—A. Doing away with the size limit?

Q. That has been proposed.—A. To have no restriction on that?

Q. That is as to the size limit. Some people say that is a regulation that has never been enforced, that it is very difficult to enforce it; that the size limit should be done away with, that the berried lobster should be protected in some way, and that the season should be shortened somewhat. How would that appeal to you as a remedy?—A. It would appeal to me as a remedy all right. The berried lobster should be thrown overboard, and I would rather throw them away than get paid for them.

Q. That does not happen everywhere. In a great many places I am afraid that only a few fishermen throw them away. Would it cripple you to have the season shortened by ten days?—A. Not a bit.

Q. How would it affect the fishermen generally?—A. They are here to answer for themselves.

Q. We want the opinion of practical fishermen on that question. You say it would not affect a fisherman like you.—A. It is like this, we could not this year begin to fish until the 15th of June on account of the ice, and in a season of that kind you would only have six weeks fishing.

Q. Is it not the case that in a season of that kind, when you are late in beginning on account of the presence of ice you have pretty good fishing and generally do well?—A. We get them in close to the shore.

Q. Would you not expect to make better fishing then?—A. Not a bit, it is just about the same.

Q. Do you think it would be possible to enforce strictly this size limit?—A. I do not know.

Q. Then you want to stick to the same fishing season, May, June and July?—A. And throw away the undersized.

Q. No, no, stick to it, enforce the regulations?—A. What do you mean?

Q. I mean to prevent any small or undersized lobsters below eight inches being brought into the factory. You know there are various propositions, as I tell you, one is to do away with the size limit, and to protect the berried lobster, to insist if you like on a certain space between the slats of say one inch; in some places we found the slats only half an inch apart, and to shorten the season by a few days, or else to enforce the present regulations strictly.—A. If there were no small lobsters or spawn lobsters taken I suppose in a few years we would get the benefit of it.

Q. An 8-inch lobster is supposed to be three years old.—A. Three years.

Q. Yes. Which of all the plans suggested do you think would be the best to adopt; which would cause the least hurt to the fishermen? Would stopping altogether for a term of years be a very severe measure?—A. It would be pretty hard on the fishermen.

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Q. The gear would become destroyed in the meantime, and I do not think the fishery is far enough gone to necessitate that?—A. On some parts of the coast there is nothing else the fishermen can do in the spring of the year, and if the lobster industry should stop I do not know how they would get along.

Q. Of all the plans which have been enumerated which one would you suggest as being the most reasonable both for the lobsters and the fishermen?—A. I think, taking it all through, that if the undersized lobsters and the spawn lobsters were protected by the enforcement of the present regulations it would be all right.

Q. Is there any fishing after the close of the season, or is there any illegal canning done here? We find that in some places there is quite a lot of illegal canning done?—A. I do not know of any.

Q. Another proposition that has been made by some fishermen is that fishing should be confined to deeper water, that people should not be allowed to fish in shoal water, in lagoons or bays?—A. I believe that is right.

Q. Do you think that fishing in extremely shoal water is more destructive than it is in the deeper water?—A. It is undoubtedly.

Q. Are hoop nets used here at all?—A. None whatever that I know of.

Q. I do not know that I have anything more to ask you particularly, is there anything that you think of yourself or that you would like to suggest, if there is it will be taken down?—A. There is nothing I think of.

By Mr. McKenzie, M.P.:

Q. Is there anything, Mr. Macdonald, that the fishermen have discussed among themselves, or that you know of your own knowledge as a fisherman, that has been suggested, by which this supposed combine can be broken up? Which is the best way of getting at that combine, if there is such a thing?—A. It is pretty hard for me to say.

Q. Have the fishermen discussed any way which they think would be effective or suggested anything which could be done?—A. No, we have a union here, and the grand president is supposed to be on the track of these people. We last saw him when we came down to \$2 in price and we have not seen him since.

Q. You see it is a criminal offence if these men are in a combine, I am not saying that they are, but if they are they will have to be punished by the criminal law. If there is such a thing in existence as a combine I, as a lawyer, would like to hear of something being done about it. I suppose that really, when it comes down to the fine thing, we have not very much evidence?—A. For my part I know nothing about it, I have heard something about it, but that is all, I do not know whether it is true or not.

Q. I simply want to know, or I just want to see if there is any evidence that can be brought to the notice of the department that there is such a thing as a combine. I want the fishermen to know from me as your representative, that certainly I will do all I can to have the license cancelled and the perpetrators punished if such is the case, but as far as I am concerned I do not know whether there is a combine or not. It is quite possible that the packers are perfectly honest in saying that is the best price they can give; I am not saying that it is right or that it is not, but it is quite possible that they may have ground for taking that position.

THE COMMISSIONER.—This is not the only place where there has been a drop in price, that has been universal in Nova Scotia, New Brunswick and Prince Edward Island.

Witness discharged.

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JOHN MCCREADY, Little Bras d'Or, President of the Fisherman's Union, called and sworn:—

By the Commissioner:

Q. You are a lobster fisherman yourself?—A. Yes, sir.

Q. And you belong to Little Bras d'Or?—A. Yes, sir.

Q. How long have you fished lobsters?—A. 22 or 23 years.

Q. You are president of the union, No. 17, is it?—A. Yes.

Q. Is the union still in active operation?—A. It is not altogether active just now, I think.

Q. There is no use going over, with you, perhaps, the history of the fishery and the method of fishing. You have heard the evidence given by the other gentlemen?—A. Yes.

Q. I suppose their testimony as to the stage the fishery has reached, the method and the condition of the fishery is about correct, is it not?—A. Yes, it is about the same with all of us.

Q. Can you tell us as to the matter of licensing canneries, what is the opinion of the union you represent? I want to get this evidence to lay before the committee and the department, that is partly, I suppose, why I was sent down here, to get information on those points direct from the fishermen so that it can be laid before the minister and the committee. When was your union organized here?—A. About three years ago.

Q. What led to its organization?—A. It seemed that the most of the fishermen. in fact pretty nearly all the fishermen, thought there was a combine between the packers, and there was no organization of the fishermen to fight them so that they had to take whatever the packers offered.

Q. And you thought that by having a union through which all the fishermen would speak as one, you would be able to come to better terms with them?—A. Yes.

Q. Did it work out right?—A. It worked all right until this spring, when I think we were led astray ourselves by the grand president of the union in the province. He told us that the price was up in the market and that the packers could afford to give the price we asked so we stood out against the reduction and lost a good deal of our season by standing out, and afterwards we had to take what the packers offered.

Q. Did you make any inquiries yourself as to the state of the market? The information could be obtained from the *Financial Journal*?—A. Our grand president got the information and brought it to us, showing how the foreign market stood.

Q. What is your own opinion as to the matter? Do you think there is a definite combine on the part of the canners to fix prices or to keep the price down?—A. I imagine there is, to a certain extent, for at the time we had the trouble last spring I had a telegram from a man who was here representing one company saying they would pay every cent they could afford to pay, but at the same time they could not pay what we demanded.

Q. What demand did you make?—A. \$3.75, the same as we got the previous year.

Q. Was it not in your knowledge that the market for lobsters had fallen?—A. Oh, yes, we knew that at the last, but we did not know it at the first, and after the factories opened and we started to fish we learned it. This man represented a rich company from the States——

Q. What company is it?—A. The Snowflake Canning Company. And after the factories had run two or three weeks a man who runs a small business on the shore came over and paid \$2.25, whilst this company was only paying \$2. That is what makes us believe there was a combine to keep down the price, because that man in a small way of business came and offered to pay \$2.25 whilst this rich company was only paying \$2.

Q. And did this company then come up in price?—A. When the word went to them of what the other man was paying they gave us \$2.25.

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Q. What is your opinion as to the best remedy of getting over the difficulty if there is any combine? Do you think that the practice of the department, recently adopted, of allowing a group of fishermen to associate themselves together and take out a co-operative license would fill the bill and put the fishermen in a more independent position?—A. It works all right in a number of places, but it is pretty hard to get the fishermen together to pack their own fish. We got a license here and did not use it.

Q. Perhaps it was too late when you received it to use it this season?—A. That is true, it was too late to use it this season anyway.

Q. Do you propose to use it next season?—A. I do not know, I am sure.

Q. Of course it requires organization and capital to run a cannery. Would you put the number necessary to get a co-operative license at a lower figure than 15?—A. Yes, I would say that it would work better if fewer fishermen were required to club together to get a license.

Q. What would you bring the number down to—one-half of that?—A. Yes, one-half of that.

Q. That is you would allow six or eight fishermen to obtain a co-operative license?—A. Yes, about that number.

Q. What do you think of the proposition to do as they did formerly, to let everyone that applied receive a license? Do you think it would be possible to fix the standard of cannery? If you give every man who applied a license, should you not insist that the cannery should be fitted up in a certain way?—A. That would be all right, if you required that the cannery should be fitted up in a certain way before they could get a license at all.

Q. We see a good many canneries that are very poorly fitted to put up a good product, and it would appear that it would be almost obligatory on the department, if everyone who applied were to receive a license, to insist upon a certain standard being observed; that the tables should be fixed and covered in a certain way with a proper material. I think you will agree that the department would hardly be justified in giving a license to everybody who applied without some regulations to guarantee that everything would be properly done?—A. Certainly there should be a guarantee that the cannery would be in proper shape.

Q. There is another matter I am going to ask you about. Do you think that the product of the cannery should be inspected? You know that the tendency to-day is to inspect all food products. In other lines of canning, such as meat, vegetables and fruit, inspection is insisted on, but there is no such inspection insisted on with respect to lobster packing?—A. Yes, I think it should be inspected too.

Q. Do you think that the present staff of officers in the Marine and Fisheries Department would be competent to carry on that inspection. To be effective, I presume it would require some knowledge of canning. Do you think that the present staff of fishery officers would be competent to do that work?—A. Not in this district.

Q. Have you any experience in the live lobster trade?—A. No.

Q. Would you venture to say that where it can be encouraged, where the facilities can be improved for the carrying on of that industry, do you think it would be a more profitable one for the fishermen than selling to the canneries?—A. It would be if we were near a live lobster market.

Q. So you think that canning must always be the principal industry here?—A. Yes.

Q. You have heard the various propositions that have been made with a view to improving the fishery, what, as a practical fisherman, do you think is the best of all the plans proposed for the department to adopt or follow with a view to preserving the lobster fishery? I suppose you realize that it is necessary to do something, the present regulations either have not worked, or have not been enforced, and things are going on from bad to worse. In many places we find them packing lobsters where it takes

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12 or 14 to fill a pound can, and that must be ruinous to the industry?—A. That is small fish.

Q. And in many places the berried lobsters are not protected at all, and where the cannery is scrupulous about taking them the fishermen brush the eggs off and take them to the cannery. What is your suggestion?—A. My opinion is that if the fishermen were paid a certain amount for the seed lobsters and they were put back in the sea again it would be all right.

Q. How would you propose to check that? Could we take every fisherman's word absolutely that he put so many lobsters back into the water, would you be satisfied with that?—A. The union has discussed that matter for the past couple of years, and it was thought that if the smackman were a sworn officer for the lobster fishing season, and when the fisherman brought his lobsters to the smack the smackman would take an account of the number of berried lobsters and put them overboard, giving a check to the fisherman that he had put so many berried lobsters overboard.

Q. The department would require to have a fund of some kind out of which to pay for that sort of thing. Do you think that could be best obtained by increasing the license fee to the packer?—A. I understand the packers have to pay a certain amount.

Q. They pay two cents a case, that is \$2 for a hundred cases?—A. Supposing that fee were increased to provide the fund.

Q. I think Mr. Baker proposed to raise it to 25 cents a case?—A. To raise the fund to pay the fishermen?

Q. I am very much afraid if you raise that it would come out of the fishermen all the same?—A. I am very much afraid it would, they would not get as much for their lobsters. But even if it were that way, that would save the berried lobsters, even though it came out of the fishermen's total catch.

Mr. McKENZIE, M.P.—The objection was raised before our committee that you might take the same berried lobster and get paid for her over and over again.

By the Commissioner:

Q. They have overcome that difficulty in the State of Connecticut, where the officer who gives a receipt for the berried lobsters punches a hole in the tail. Of course that is all right until that lobster casts its shell, but that does not occur until the close season has commenced?—A. Yes.

Q. What do you think of this other proposition, to close down altogether?—A. That is a difficult question.

Q. As far as we have gone it does not appear that the remedy needs to be so heroic?—A. No.

Q. And then as to closing down in sections, that was recommended by the last Lobster Commission in 1898?—A. Yes.

Q. That also, I gather it, is a little more severe than the fishermen care for?—A. It is.

Q. And it would be very difficult to regulate. Then it has been proposed by some people, Professor Prince says enforce the law strictly as it stands to-day?—A. As it stands to-day?

Q. That is enforce the 8-inch size limit. No doubt it will be rather hard for a year or two, but in the end I think it will almost justify itself. Others again say do away with the size limit altogether, it has not been enforced; protect the berried lobster, but somewhat shorten the season in order to compensate for the abolition of the size limit. There is very little doubt that the bulk of the damage is done in the last days of the season?—A. Yes, I guess that is so all right.

Q. At the same time there is a general disposition in most places to slacken off at the end of the season, some fishermen are getting tired of it?—A. Yes, that is the case here.

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Q. And great loss of traps occur very often among those who fish in very shoal water, so that I do not believe the shortening of the season by eight or ten days would be so serious as a great many fishermen are afraid of?—A. Of course there is not more than one out of every ten who fishes until the close of the season.

Q. How do all these things appeal to you? We would like to have your opinion, as head of the union here; you speak with the authority of your position.—A. I think that the most of the packers, anyway we fishermen around here think that if the size limit on this coast were cut down to seven inches and strictly enforced it would save an awful lot of lobsters, because the way it has been these last years they have been taking them as small as they could be, anything in the shape of a lobster at all has been taken.

Q. The worst of that proposition is that originally we had a 9-inch limit which was enforced for a while, and then they said, 'You cannot enforce that, but if you will only give us an 8-inch limit we will observe it, and you will have no more trouble,' that was done, the limit was made eight inches, and now the same thing is happening again; the 8-inch limit is not observed and now you say, 'Give us a 7-inch limit and that will be observed.' What guarantee will there be that the 7-inch limit will be observed if it is given?—A. Three years ago when the union was organized we asked \$1 more per hundredweight than we had before and they answered that they would give that for legal lobsters, and for two weeks the smack men would not take any others than the legal lobsters; there was an awful lot of fish thrown away at that time even with the 8-inch limit.

Q. The idea is that if we could strictly protect the berried lobster and have the season slightly shortened we could do away with the size limit, that the thing would always limit itself. There is always a limit to the small lobsters that the packer will receive. Do you think there is anything in the proposition to insist on a certain fixed space being left between the slats in the trap?—A. I do not know, I am sure. Small as you make it a pretty large lobster will go through that. We make the mesh of the net for the head of the trap two and a half inches, and a pretty large lobster will go through that; we never make the slats here less than one inch apart, and a good many go through that.

Q. Have you anything further to add yourself? Is there anything more that I need ask you about? You have heard the evidence of the other fishermen about the state and condition of the fishery, the time it opens and closes, and how it is carried on. Is there anything you wish to say yourself especially with regard to the matter of licensing?—A. I do not think so.

Q. Another proposition that has been made is that the fishermen themselves should be licensed the same as the canners?—A. Mr. Baker had that opinion some years ago.

Q. There are others besides Mr. Baker, of course, who have made that suggestion at various times. It is suggested that if the fisherman were licensed he would feel that he was more or less responsible himself, that he was a fishery officer in a small way and that he would be more careful in observing the law himself and also would be likely to inform on others who were not observing the law?—A. And what if he broke the law.

Q. The license to fish would not be given him in that case. It might not be necessary to charge any fee at all for the license, but if he broke the law, and it was proved that he was in the habit of bringing in undersized lobsters and of destroying the berried lobster his license would be revoked and consequently he would not be able to fish. What effect do you think that would have?—A. If the size limit was seven inches and the man licensed I guess it would be all right, but if the 8-inch limit is enforced in this district it will close up all the canneries. When we had this trouble last spring we thought that if we had some board of arbitration it would force the packers to give us fair treatment. It seems that there is no man appointed to deal with such matters. I think if a man were appointed to do that, and if the fisher-

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man asked for a price in the spring and the packer said it was too much if such a man were appointed to overhaul the price, and if the price was too small, to force the packers to give more, it would be a good thing for the fishermen.

Q. I am not a lawyer, but it seems to me that it would be a very difficult thing to force a packer to give more than he thought he could afford to give?—A. But it seems to me that if there was a fishery arbitrator who was given power to investigate such matters and to take steps in case the price offered by the packers was unreasonable it would be of great benefit to the fishermen. The man who went out to look into the matter this spring had no power to act.

Mr. McKENZIE, M.P.—The trouble is that the terms of the Conciliation Board do not apply to the fisherman, but there is no doubt that machinery could be supplied by which an inquiry could take place for the purpose of determining whether the packers were justified in the price that they offered. I think the president of the union is justified in saying that the inspector should have authority to institute an inquiry of that nature if he thought it necessary.

Witness discharged.

CHARLES MCCREADY, fisherman, Point Aconi, called and sworn:—

By the Commissioner:

Q. You have the evidence given by the other gentlemen who have preceded you?—A. Yes.

Q. Do you agree with them, or do you differ from them in any point?—A. I agree with them.

Q. Or is there any matter which you would like brought out more fully than has been done in their case?—A. No, sir.

Q. Your practice here is to begin lobster fishing sometime about the first week in May, I believe?—A. The first or the second week, we did not start until June this year.

Q. That was partially due to the bad weather in the beginning of the season and the trouble with the packer?—A. Yes, sir.

Q. You were not as unfortunate in that trouble as you might have been, because the weather in the month of May was bad anyway?—A. Yes.

Q. Have you always carried on fishing in the same place?—A. No, I fish in different places along the shore.

Q. Do you fish far away from here?—A. About 12 miles.

Q. But it is on the same coast. You own your own boat and gear?—A. Yes.

Q. When do you knock off lobster fishing?—A. I knocked off on the 1st of August this year.

Q. To what other branch of employment do you devote yourself after you knock off lobster fishing?—A. To fishing, sometimes, and to other work.

Q. That is codfishing?—A. Yes.

Q. What number of traps do you fish?—A. About 70.

Q. Do you fish single-handed?—A. Yes.

Q. What is your average catch with 70 traps? What should it amount to in a fair season?—A. It is all according to the season, some seasons 10,000 or 12,000.

Q. Have you caught as much as that with 70 traps single-handed?—A. Yes.

Q. Then you must have good fishing. Is it the practice with you to move in as the season advances, or do you continue to fish on the same ground as you start on?—A. We always move in.

Q. What is the condition of the fishery at different times in the season? How is it when you first begin fishing, just explain to us?—A. The lobsters are larger at the start than they are at the last.

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Q. How are they at the end of the season?—A. Well, where I fish they hold out a good size until pretty near the last of the season.

Q. And then you would expect to get some undersized and some berried lobsters I suppose?—A. From the middle to the last of June we get a lot of berried lobsters.

Q. How are they at the end of July? Do you see them having cast their eggs and having finished spawning?—A. Yes.

Q. You can tell that?—A. Yes.

Q. When do they begin to be soft-shelled here?—A. You get them any time after the middle of July.

Q. Do you think they are fit for canning then, would they make good food?—A. I would only see them in the last days of July.

Q. Do the canneries keep open until the end of the season?—A. I do not know, there is a kind of understanding that they have to run the season out when they start.

Q. And they take everything that comes to them?—A. Yes.

Q. Some people contend that the lobsters are not fit for food in that condition, what is your idea?—A. I am not certain they would be.

Q. What do you think as to this matter of licensing, what is your feeling, how should the licenses be distributed or administered?—A. I do not know.

Q. Do you think there are canneries enough now?—A. I think there are.

Q. Do you think more canneries would mean more fishing, and more loss?—A. If there were many more it would, but I think every man that can show he was able to pack should be licensed.

Q. What standard would you exact, or how would we get at him to know that he was competent to pack?—A. I suppose he would want capital, and that he would have to be qualified to pack.

Q. What would you put the capital at? The cost of a cannery is not very great?—A. No.

Q. It seems to me that the best way to get at that would be to insist upon that cannery being established up to a certain standard?—A. Yes.

Q. Do you think that could be done?—A. I think that every four of five fishermen should be licensed if they want to can. Fifteen is required now, but that number is too large, five, at the most, would be sufficient in my opinion.

Q. Do you not think that we could get at the matter by insisting on a certain standard of cannery, that they should pack a certain quantity of fish, that they should fish a certain number of boats, and that these canneries should be fitted up in a certain way with tables prepared in a certain manner, and covered with zinc, glass, marble, or some other suitable covering?—A. Yes, I think that should be done, but I think that five fishermen should be allowed to pack the lobsters they get themselves.

Mr. McKENZIE.—That is the idea in co-operating now, they are not compelled to buy from anybody else, but this witness thinks that the number of fishermen necessary to obtain a license should be smaller than it is at present.

By the Commissioner:

Q. What do you think of this idea of requiring the canner to pay a larger fee, instead of the two cents that is paid at present, so as to provide a fund with which to purchase the berried lobsters from the fishermen?—A. I think it should be increased, if there is no other source from which to obtain a fund.

Q. There does not seem to be any other fund available, and most people would insist that the industry should pay for its own preservation and protection I think?—A. Yes, I think that it should pay, and I think that the fishermen should be paid for the percentage of berried lobsters they let go.

Q. Has the practice of stripping or washing off the eggs from the female lobsters been followed at all in this neighbourhood?—A. Not to any extent now.

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Q. I believe that where the unions exist they have a sort of tacit understanding among themselves that the members of the union should return the berried lobsters to the water?—A. Yes, we have that understanding.

Q. Do you think there is anything in the statement made by one of the canners that he cannot afford to be too strict in receiving undersized or berried lobsters because he would lose his fishermen, they would go to somebody else who was not so scrupulous; do you think that has occurred?—A. Not very lately.

Q. That the fishermen would go to the next canner who would accept them?—A. There are none of them that would take the berried lobsters.

Q. Since how long has that been the case?—A. Since four or five years.

Q. But before that they would take them?—A. Yes, they took them before that.

Q. Have you any knowledge of the matter of exporting live lobsters to the market?—A. No.

Q. That has never been done here?—A. No.

Q. Have you any opinion yourself as to the respective profits of the two branches of the industry? Which do you think is the most profitable to the fisherman, the live lobster industry or the cannery, where both can be carried on?—A. The live lobster trade would be the most profitable where it is practicable.

Q. Would you find a sufficient quantity of lobsters over nine inches here to carry on that industry provided proper facilities were available?—A. Yes, sir, there would be.

Q. You have heard the various suggestions that have been made for the improvement and the protection of the fishery for the future, what is your idea? Which one of those propositions would appeal to you as the most reasonable?—A. I think the size limit should be cut down to 7 inches and strictly enforced.

Q. And the berried lobsters strictly protected?—A. Yes.

Q. Have you any knowledge of pounds at all, do you know anything about that matter?—A. No.

Q. Are there any places in this locality where pounds could be established close to the canneries?—A. I suppose there are places.

Q. For a pound we require a place with a certain depth of water and free inlet to the tide, so situated as to provide means for barring off the mouth, with a good bottom. I should think in a place as much cut up as this is there are places which would answer these requirements?—A. There are no places that I know of in Bras d'Or.

Q. What do you know about hatcheries?—A. I do not know anything about them.

Q. Have the fishermen any opinion to offer as to the merits of hatcheries or their usefulness?—A. No.

Q. Has there been any noticeable decline in the average size of the lobsters in your district in the last ten years?—A. Oh, yes.

Q. And it is still going on, I suppose? In a great many places they tell us that the decrease occurred years ago and that it has been arrested, that it is not going on now to the same extent. What is your opinion?—A. It is according to the season, if we have a good season they are plentiful.

Q. Do you think they are as plentiful as ever they were?—A. I do not think, no, but there are better methods of catching them.

Q. What bait is usually used here?—A. Herring.

Q. Does the quality of the bait used make any difference?—A. Oh, yes.

Q. Will you do better with fresh herring than you will with stale herring?—A. Yes, sir.

Q. Is it the practice to use mackerel gibbs or entrails here at all?—A. No, sir.

Q. In some places we find that they make a little bag and put the entrails of the mackerel in it, and they say that is the best bait they get, but some of the fishermen claim that that bait fouls the water?—A. I do not think that is ever used in this part of the country.

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Q. Do you catch that herring on the spot here in the spring?—A. Yes, I think almost everybody catches their own herring.

Q. Do you use cod heads at all as bait?—A. In the last part of the season we do.

Q. Are cod livers used at all?—A. No.

Q. What do you think about this matter of keeping the lobster fishing out from the very shoal water?—A. There may be places where it would be all right, but there are other places where you get no lobsters outside.

Q. What, in your opinion, is the most active and the best time of the fishery? When do you do best at it?—A. For the first two or three weeks after the start, whatever time of the season we start.

Q. Has fall fishing ever been tried here?—A. For lobsters?

Q. Yes?—A. Not to my knowledge.

Q. There is no desire to fish in the fall?—A. No, I do not think it would do very well.

Q. Is it too rough, and too much exposed here in the fall?—A. Oh, yes.

Q. Is there anything more you would like to tell us, anything I have forgotten?—A. No, there is nothing, except that if there could be some officer appointed to hold an inquiry in case of dispute between the fishermen and the packers, as has already been suggested.

Witness discharged.

SOLOMON TURBET, fisherman, Little Bras d'Or, called and sworn:—

By the Commissioner:

Q. Where do you fish?—A. Off Little Bras d'Or.

Q. You have heard all that these other gentlemen have said here?—A. Yes.

Q. Do they agree with your ideas in the main?—A. Yes, pretty much.

Q. How long have you been fishing lobsters?—A. Every year, but not in this place.

Q. For how long were you away?—A. Five or six years, in the Magdalen islands.

Q. Did you live in the Magdalen Islands?—A. I was born there.

Q. How long have you been here?—A. Eleven years.

Q. Does the fishing here compare with what it was in the Magdalen islands?—A. I do not see much difference.

Q. Is it about the same class of fish, the same run?—A. Yes, pretty much the same run of fish.

Q. What is your experience as to the season? What time during the season do you get the better run of fish? Is it better in the spring than it is when you knock off?—A. Oh, yes, there are more lobsters in the month of May, when the fisherman can begin about the 1st of May, and the month of May is good all along the coast, but after that it begins to drop off; of course there are odd spots where it would not drop.

Q. Tell me, are the fish in May as well filled as they are in June?—A. You mean the lobster?

Q. Yes?—A. No, sir, they are not.

Q. They will not turn out as well to the canner?—A. No.

Q. Do you see many of these berried lobsters?—A. What are you talking about, seed lobsters?

Q. Yes?—A. Well, they are not so plentiful in the first part of the season as they are in the last part.

Q. Do you think that they come into these bays, right inside here, into the shoal water to spawn? You know the way they come into the lagoons and bays in the Magdalen islands to spawn?—A. I do not know that now.

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Q. Do they do the same here?—A. Well, I do not think, of course there are some, but there are not a great many.

Q. Is there any fishing done inside here?—A. No.

Q. It is all done outside?—A. All outside.

Q. You have been here, you say, for 11 years?—A. Yes.

Q. How is the fishery to-day as compared with what it was when you came here?—A. Every year is not alike.

Q. Well, one year with the other, how does it compare, is it getting poorer?—A. It is getting poorer, yes, that is a fact. There is a great deal of difference to-day compared with the first year I came here.

Q. That is the sort of thing we want to stop if we can, the fishery becoming poorer. Now, how would you do it? What is the best way to do that, in your opinion?—A. I do not know, I am sure.

Q. What is the reason for the decline?—A. The reason, I think, that the lobsters are getting scarce is because there are double as many fishermen as there used to be.

Q. You know that we limit the number of canneries now, and that we will not give a license to everybody to can. Do you think that the number of boats fished by a cannery should be limited?—A. I do not think, I do not see any use in that.

Q. What do you think about the number of cannery licenses? Do you think there are licenses enough now?—A. Oh, I do not know, I do not think.

Q. What would you say?—A. I think that if every one had the privilege of getting a license, the poor man as well as the rich man, it would be better. Of course we know that every man could not pack, that is sure, but let every man have the right to a license, one with the other.

Q. I suppose every man could not pack, and it would not do to give every man a license?—A. Oh no, no.

Q. How would you decide as to a man's competency to pack, how would you determine that?—A. I do not know.

Q. We would have to find some way, would we not, of determining it?—A. Of course, supposing that every man who fished was allowed to get a license to-day, every man would not pack.

Q. I am afraid a good many would ask for it who would not be able to do very much with it and, I think, we should fix it so that it would not do injury to the business generally?—A. Of course those who could not pack would not ask for a license.

Q. Could we limit the number of cases that a man should pack?—A. There was a time in the Magdalen islands that there were over forty packers.

Q. Over 100 packers.—A. Well, when I left there were over forty.

Q. We had over 100 packers there, and now it has got down to fifty, they have all dropped out, the small ones especially.—A. I am thinking that five or six at least would be sufficient to get a co-operative license.

Q. Do you think we should have the right to say that the cannery should be of a certain size, that they must pack at least 100 cases, that the tables should be made in a certain way, and covered with a certain material, and all that sort of thing?—A. One hundred cases is about a fair number I should think.

Q. What is the average run, how many cases does the factory pack to a boat here, do you know?—A. I do not know, I am not sure.

Q. In a good many places we find that the average is from fifty to sixty cases per boat, would they run up to that here?—A. I do not know, I am sure.

Q. Is there anything else you would like to tell us about the matter? Apart from that matter of licensing the canneries, what do you think about making the fishermen take out a license, as has been suggested?—A. I do not think it would hurt anyone; I do not see any way that it could.

Q. Do you think that a fisherman who had a form of license in his pocket would be more careful to observe the law than one who had not?—A. Oh, yes, he would.

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Q. Do you think that it would be right if a man was found to be continually violating the law, whatever the law may be, that he should be prevented from fishing any more in that kind of fishery?—A. Yes, I think that would be all right.

Witness discharged.

RODERICK BACON, fisherman, Little Bras d'Or, called and sworn:—

By the Commissioner:

Q. Do you belong to this place?—A. Yes.

Q. How long have you been connected with the lobster fishery?—A. About six years.

Q. What did you do before that?—A. I was working around the factory.

Q. And then you took to fishing?—A. Yes.

Q. How have you found the fishery since you have been at it, is it a profitable industry?—A. Oh, yes.

Q. What number of traps do you fish?—A. About seventy.

Q. Do you fish for yourself?—A. Yes.

Q. You fish right off here, on the same ground as the other fishermen?—A. Yes.

Q. What sort of bottom do you select generally to fish on?—A. A rocky bottom.

Q. Do you find that the bottom makes a great deal of difference in the fishing?—A. Yes.

Q. There is no use fishing on mud?—A. No.

Q. Do you suffer much loss of gear in the early part of the season?—A. I do.

Q. What depth would you be fishing in then?—A. Ten fathoms.

Q. Fishing in that depth it would hardly break you up would it?—A. I do not fish in that much water, in eight fathoms.

Q. Do you suffer much loss of gear in eight fathoms?—A. Oh, yes, in a big storm.

Q. Does the ice bother you to any great extent?—A. It does in the spring.

Q. When does the greatest loss of gear occur?—A. When we come inside we lose very heavily.

Q. How did you escape this season?—A. I lost all.

Q. That happened to a great many?—A. To quite a few.

Q. What time was it that happened?—A. I guess it must have been about the first of July.

Q. I think it was about the 8th of July, we had a heavy storm in the inside?—A. It was about the 8th of July.

Q. We had another very heavy storm on the 24th of May, the Queen's Birthday.—A. We did not have any gear out then.

Q. When you began to fish this year did you get good fishing?—A. Not extra.

Q. One would have thought that as you began fishing late in the month of May that when you did get through with it in June you would have done well, were the fish not there?—A. They were not very plentiful.

Q. Did you get good fishing at any time this year?—A. Very late, I only fished about a month, and they were better towards the end, but a few years ago they were better at the first of the season.

Q. What is the difference between the first and the end of the season?—A. The lobsters get scarce where I fish, but it does not make much difference in the size.

Q. Do you think the lobster comes inshore to spawn?—A. I think so.

Q. Do you notice that as the season advances the eggs are getting riper?—A. Oh, yes.

Q. When you knock off at the end can you see that the lobsters, a good many of them, have passed the spawning season?—A. I do not know, but the shell seems to get very soft.

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Q. Of course you find the lobsters with berries on at all times of the season, in the fall and in the spring?—A. Yes.

Q. But they are only supposed to hatch them out during very warm weather. What percentage of egg lobsters do you think there are? How many out of every hundred do you think would be berried?—A. I do not think it would be more than about eight.

Q. You think it would amount to about eight per cent?—A. That is my idea.

Q. Do you think there is anything in the style of trap you fish?—A. Oh, yes.

Q. Is that parlour trap more destructive than the old fashioned double ender trap?—A. I do not know whether it is more destructive to the fish, but it gets more.

Q. The great merit it has is that it holds the fish, they cannot get out as easily?—A. They cannot get out very well.

Q. Do you think it would be possible to arrange a trap that would allow the small lobsters to escape? Could we enforce a size limit by a trap in that way?—A. Oh, I guess so.

Q. How would you do it?—A. You would have to have the slats further apart I suppose.

Q. How far apart are they put now?—A. Well, it is about one inch or one and one-eighth inch.

Q. Does that hold everything that gets in?—A. I do not think so.

Q. What size lobster would get through the opening?—A. I suppose a six-inch lobster.

Q. How is it in fishing, do you think the lobsters make any attempt to leave the trap when you disturb it?—A. Oh, they do.

Q. Do you ever see them scrambling out?—A. When we had an old fashioned trap we would see them falling out through the hoop.

Q. What do you think of this suggestion of licensing the fisherman as well as the canner?—A. I think it is all right.

Q. Do you think if the fisherman took out a license he would, on that account, be more scrupulous about observing the regulations than one who had not a license?—A. Oh, I do not know, of course I am, when under oath, more careful.

Q. Do you think that putting him under oath would make him more careful?—A. He would have to be then.

Q. Do you think there is an unfair understanding between the packers by which the fishermen suffer?—A. It looks like that, in my opinion.

Q. Do you think that this proposition of allowing a certain number of fishermen a co-operative license, even if the number was reduced, is a good one? Do you think that would bring the canner to terms? Would it have that effect?—A. If the fishermen could get together in bunches the canner would have to pay more for the fish or he would not get them, that is if the fishermen could can for themselves.

Q. How would you proceed to regulate that matter of licenses? It would not do to give every one a license, you would want to have some guarantee that the canning is going to be properly done; what guarantee do you think the department should exact?—A. For a co-operative license there should be five.

Q. But even if that were done would it not be necessary to insist that the canning should be done in a proper manner?—A. Oh, yes.

Q. You have had some experience in canneries, how do you think that should be done?—A. They should have an establishment pretty well equipped for handling the fish.

Q. We have seen in some places tables that looked very rough and ill smelling, and you could not possibly hope to put up good fish with an outfit of that kind. Do you think the tables should be properly covered?—A. Oh, yes.

Q. What do you think is the best thing to cover them with? We see them covered in some places with glass, and in other places with marble and zinc, and in other places galvanized iron has been used, we have also seen enamelled ware tables?—A. Of

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course there might be some small places that could not afford a very expensive equipment.

Q. Do you think that the product of the cannery should be inspected?—A. I have no doubt but what it should.

Q. What has been your practice here with regard to the undersized and berried lobsters?—A. Where I fished it did not make very much difference with regard to the size limit. Of course with a 7-inch limit I do not think I would take any fish under that limit. Of course there are some under the 8-inch limit; and with regard to the berried lobsters they are not very plentiful.

Q. What percentage would you say, how many out of every hundred, bear berries?—A. I suppose, taking the season through, it would be between six and eight, something like that.

Q. Have you ever remarked their size?—A. Yes, several times.

Q. What is the smallest lobster you ever saw with berries on?—A. I think I have seen them down to—oh, I do not know—about 8 inches.

Q. You have not seen many about that size, that is about the limit, but they have been seen down to 7 inches I believe?—A. I have not seen any below the size I mentioned.

Q. Do the canners object to receiving the berried lobster?—A. Yes, sir.

Q. Have they always done so?—A. Pretty much so, ever since I have been fishing.

Q. Are some more careful about it than others?—A. No, sir, not as far as I know.

Q. What do you think of these various propositions for the future protection of the fishery? What would you suggest as being the best thing to do? What would you do with the lobster business?—A. Of course it is all right to throw away the berried lobsters in order to save them, but if there is a bounty, pay us for doing so, or have a pound.

Q. Or even a hatchery for that matter?—A. Or a hatchery. Of course, I think there are places in Little Bras d'Or where hatcheries could be worked all right.

Q. Are there any other canneries in the immediate neighbourhood to supply the eggs for a hatchery?—A. Of course there are only two canneries here now, there have been three.

Q. But there are several other canneries not far away, are there not?—A. There are some not far away, there is a small cannery probably ten miles from here.

Q. Is it to your knowledge that there has ever been any canning in the close season; has the close season been strictly observed here?—A. Yes, nowadays. Now it is.

Q. Have you any remarks to offer about the live lobster business?—A. No, sir, I do not think so, you see the market seems to be too far for that.

Q. You have heard the evidence of the other gentlemen and coincide with most of them, I suppose?—A. Yes.

Q. Is there any point in which you differ from them?—A. Not very much, I think.

Q. Is there anything you would like to put down as coming from yourself, any statement?—A. No, excepting, that if an officer were appointed, who would simply look into the matter and get the right market price, and see whether the price that the packers paid was the best price they could afford to pay or not, because now we have to take their word for it and we do not know anything about the market or whether they could pay a better price or not—if such an officer were appointed to look into the matter, it would be of great advantage to the fishermen.

Q. You think that if an officer of that description were appointed to inquire into the condition of the market and see what was a fair price to be paid for the lobsters, the fishermen would be willing to abide by his decision in the matter?—A. Oh, yes.

Q. Who would be the best officer to do that, the inspector?—A. Oh yes, I guess the general inspector.

Witness discharged.

SESSIONAL PAPER No. 22a

FREEMAN STUBBART, fisherman, Little Bras d'Or, called and sworn:—

By the Commissioner:

Q. Do you belong to Bras d'Or here?—A. Yes.

Q. How long have you been engaged in lobster fishing?—A. About 12 or 13 years.

Q. You are fishing with your own boat and gear?—Yes.

Q. What number of traps do you fish?—A. From 60 upwards.

Q. Do you fish for yourself?—A. Yes.

Q. What is the average catch that you make with that number of traps, how many thousand pounds per season?—A. It is according to the season.

Q. What is the best season you ever made?—A. 5,000 or 6,000 pounds.

Q. What did you do this year?—A. I did not do anything like that this year, the season was bad.

Q. How far did you come towards it?—A. About 4,000.

Q. Have you any idea how many lobsters run to the hundred pounds in weight, have you ever kept any account of that?—A. No, sir, well it is according to the season, you will find lobsters early in the spring of course, that weigh more.

Q. They are larger then?—A. Larger.

Q. Have you any idea how many lobsters it takes to make a hundred pounds?—A. In the latter part of the season it takes from 160 to 170, around that.

Q. And in the opening part of the season, what would you say?—A. I could not say.

Q. It would take a smaller number?—A. Yes.

Q. Will they run a 100 lobsters to 100 pounds do you think?—A. No.

Q. When the lobster fishery is over what do you devote your time to?—A. Sometimes to fishing and sometimes to farming, one thing and another.

Q. What happens to most of those who fish lobsters, are they in the same position?—A. Yes, most of them keep fishing right through.

Q. They fish right through?—A. Yes, codfishing.

Q. That is they go into the deep sea fishing?—A. Yes.

Q. How late do you keep fishing here in the fall, when do you knock off?—A. About Christmas.

Q. Have you always fished from this place?—A. Yes.

Q. You were never at Anticosti?—A. No.

Q. How do you find the lobster fishery compare now with what it was when you began to fish, is there any diminution in your time, you have only been fishing a short while?—A. They are not as plentiful here as when I first started, but there were not as many boats then.

Q. Do you think the diminution is going on, is the number of boats increasing every year or are they dropping out?—A. There were not so many this spring, but last spring there were more than ever.

Q. Do you think that the supply has been kept up by taking smaller lobsters to the cannery now than you used to?—A. How do you mean?

Q. I mean to say is not the fisherman now taking in practically everything he gets without regard to the size limit?—A. Oh, no, of course not; there are some that are not worth taking.

Q. Where would you draw the line?—A. Anything that is too small we do not take in.

Q. But where would you draw the line, what is too small?—A. I could not tell you what size they take, I am not the government officer.

Q. Did the government officer measure them at the cannery this year?—A. I could not tell you.

Q. Now, as to the matter of price, is there any competition at all in the matter, or are you obliged to take whatever is offered?—A. It seems that we are.

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Q. Has it always been so?—A. Yes, only the two seasons we had our union in force.

Q. And then?—A. Those two seasons it has been different altogether.

Q. Do you think it was the existence of the union that gave you the larger price last year and the year before?—A. Of course the fishermen feel that, yes; they hung back and would not fish.

Q. Because the same price was given last year, and the year before, in many places where there was not any union. What, in your idea is the best regulation that can be adopted for the preservation of the lobster fishery? You have heard what has been said here; there is no use my going over it again; what do you think yourself is the best?—A. I could not say.

Q. The fishermen should be able to say what is best?—A. What do you mean by that?

Q. Well, it has been suggested that the lobster fishery should be shut down altogether for four or five years?—A. I do not see that that would be of any benefit.

Q. The idea is that the lobsters would have a chance to grow?—A. The lobsters should be caught the same as all other fish.

Q. In what way?—A. Well, you get all kinds of herring and all kinds of codfish, and they are just as numerous now as when we first started.

Q. And you think the lobsters are as numerous, too?—A. Yes, I think so. Of course the packers can tell you; one of the packers is here and he can speak for himself.

Q. And you think that the lobster fishery will always continue good, no matter what is done?—A. It will not if the seed lobsters are taken.

Q. How would you protect the seed lobster; what would you suggest?—A. I would say the same as Mr. McCready.

Q. What do you think of doing away with the size limit altogether?—A. I guess that would help out too; that is on the 7 inches. Of course on the west coast lobsters are larger than on this coast.

Q. Do you think that you have a smaller breed of lobsters here than are found any where else?—A. No.

Q. Were they not as large here at the beginning?—A. Yes.

Q. Why have they got smaller?—A. Because the bottom is too smooth for them to hold. You take a place where there is a rough bottom and the lobster will hold better.

Q. Have you not a rough rocky bottom here?—A. Not on this shore; of course there are rough places, but not the most of it.

Q. What has been the practice about here to avoid dealing with the canner who is known to refuse small or berried lobsters?—A. How do you mean; the fishermen not selling their fish to them, is that it?

Q. Yes, some canners have complained that they have to take small and berried lobsters because their fishermen insist on it?—A. I do not think so; the fishermen do not where I take my lobsters. We were given to understand in the spring that he would not take any seed lobsters.

Q. Has the practice of rubbing the eggs off the berried lobsters been followed here at all?—A. I could not say.

Q. You never saw it done?—A. No, the packer is the man who knows pretty well if that has been done, because when once the seed lobster is washed it is done.

Q. Is it the case that the seed lobster is more delicate than the others and will not stand as much handling?—A. Yes, I think so.

Q. You have heard the evidence given by the other gentlemen and generally you agree with it?—A. Yes.

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By Mr. McKenzie, M.P.:

Q. The average number of traps here, as I gathered from the evidence, is 70?—
A. Yes.

Q. Each man has about 70 traps?—A. Yes.

Q. Now, taking that number of traps with all the gear necessary to fish them and to fit out with, what would that amount in value to the fishermen? How much money does that represent? Does that represent all that is necessary to set and fish them properly?—A. You mean how much does it cost to build them?

By the Commissioner:

Q. What do you value them at apiece, with their trawl lines and everything?—A. I could not say.

By Mr. McKenzie, M.P.:

Q. Supposing you said to a man: "Fit me out 70 traps, build them and equip them with all the necessary rope, and whatever kind of buoys you use," what do you think he would do it for?—A. His labour and all, I suppose he would not do it for anything under \$100.

Q. Not under that?—A. No, I do not believe he would, and find the rope and do all the work himself, not the way the prices are now.

Q. Do you know anything about the work in the factory?—A. What do you mean by that?

Q. You were engaged in the factory itself, working for the packer, were you not?—A. Not for long. I worked in the factory about a fortnight.

Q. But you have heard the talk about the proper method of packing; now, what is there to guard against in packing so that you will have a good pack and proper goods to put on the market, instead of poor goods? From what you have heard around the factory, what is there to avoid so that you will turn out a proper article?—A. Well, I could not say; as far as I know the only thing to be carefully watched, that is in this particular factory run by Mr. Metherall here, is to be careful about packing dead fish, that has to be avoided.

Q. Of course if the packer packs dead fish he puts up a poor pack?—A. Yes, his meat is poisoned. Another thing that is necessary is to have a pretty good man to run the factory, a man who knows his business. Of course there are some men running a factory who do not know any more about how to run a cannery than a horse.

Q. In getting this good lobster what is it that you must keep from putting in that is to be found in the lobster?—A. I do not think it makes any difference between the smaller and the large ones. Of course a dead lobster spoils the pack if he is dead before packing.

Witness discharged.

T. H. METHERALL, packer, North Sydney, called and sworn:—

By the Commissioner:

Q. Are you packing on your own account?—A. No, sir.

Q. You are packing as agent for what firm?—A. The Snowflake Canning Co.

Q. Where are their headquarters?—A. Brunswick, Maine.

Q. Have they many canneries on the coast?—A. No, sir, this is the only one.

Q. This is the first time we have struck that name?—A. This is the only one they have.

Q. Have they been running it long?—A. Three seasons.

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Q. Did they build the cannery or take it over?—A. They purchased it from the company that owned it.

Q. How long have you been engaged here?—A. I have been here since 1889.

Q. Does your experience in connection with the lobster packing go beyond that?—A. Yes.

Q. How far back?—A. Oh, well, I suppose I have been 26 or 27 years engaged at it.

Q. In what part of the world?—A. In Prince Edward Island and New Brunswick.

Q. You have packed on the northern shore of New Brunswick?—A. Yes, sir.

Q. You were engaged in the same business there?—A. The same business.

Q. What is the capacity of the cannery here, what is your pack?—A. It varies: it has gone down as low as 5, and often as high as 10 or 11.

Q. Hundreds?—A. Yes, sir, cases.

Q. Can you give us the average pack from a boat here?—A. It is hard to say what the average is here; some years it has been 40 and some over, and some years we have gone down very low, as low as 600 or 700 cases, while other years we have gone up to, 900 or 1,000 cases.

Q. Your average would not be anything like 60 cases?—A. No, it would not, not at all.

Q. Can you give us any idea how your lobsters run, how many it takes to fill a pound tin here?—A. We average about 6.

Q. Six lobsters?—A. Yes, of course we can take a few fresh lobsters and do better, but to take our average for the season it will run about that.

Q. But the lobsters that you get in the spring, though larger, are not nearly as profitable as those you get later in the season are they?—A. No.

Q. And the most profitable lobster is the medium size?—A. The medium size from 8 to 9 inches is the best fish.

Q. What is the most profitable tin in the market at the present time?—A. I cannot just say, but I think the pound flats are about as much in demand as any at the present time.

Q. We have been told that the quarter pound flats are the best?—A. We do not pack as much quarter pound as pound tins.

Q. To pack quarter pound tins you want small lobsters, because you have to put the claws in whole and the quarter pound tin will not take a very big one?—A. Yes.

Q. What has been your practice, as far as your connection with the business goes, is it the practice for the canners to take everything that is brought to them?—A. We have always tried as nearly as we could for our own benefit to keep as near the legal size as possible, that is what we have been trying to do.

Q. How do you think a strict enforcement of the regulation would affect you?—A. I think it would put us out of business.

Q. And do you think the fishermen would continue to fish then?—A. No, they could not exist.

Q. Your fishermen own all their own boats and gear here?—A. Yes.

Q. Have you come to any conclusion yourself as to the spawning habits of the lobster? At what part of the season do you think they spawn?—A. You know we see lobsters with spawn almost every month in the year, but I rather imagine that here, as the water gets warm, they come into the shore to spawn.

Q. Sometimes when taken in the winter they are found with spawn, but those berries would not hatch out until the warm season?—A. Of course not.

Q. At what size do you consider the lobster is fully matured?—A. I think the average lobster here runs along from 8 to 9 inches, that is the average of the bulk of the fish.

Q. And have you any idea of the percentage of the egg bearing lobster?—A. I have never taken any note; of course we have always tried to keep clear of the egg bearing

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lobster, and of course, in that way we would not know just what the percentage would be.

Q. Do you think that the practice of stripping the lobster is carried on to any extent here?—A. I do not think that it is, but, of course, it is done; we are aware of that.

Q. Was it done where you formerly were in Prince Edward Island and New Brunswick?—A. In those parts we did not take any account of anything like that.

Q. What was the practice then with regard to the regulations?—A. The size limit at that time was 9 inches but we took anything.

Q. Were you aware of anybody being fined or punished in those days?—A. There were some fined, now and again.

Q. Was there any more attempt made to enforce the regulations then than there is now?—A. Not so much.

Q. Is it then your experience that you would have lost fishermen by refusing to accept the undersized or berried lobster?—A. I cannot say that I have, I have generally had one lot of fishermen pretty much right along.

Q. Now as to the matter of licensing, you are aware, of course, that the practice of the Department for a number of years back has been to restrict the number of canning licenses, the idea being that by restricting the number of canneries they would in some way protect the fishery, though there was never any restriction placed upon the amount of gear that a cannery could fish. What is your opinion about this matter, do you think that a limit should be put to the issuing of licenses?—A. We find that we have our own troubles to get the proper articles for the market, and I think that if every one was allowed to can the market would be filled with an inferior article.

Q. What do you think of the present policy of issuing these co-operative licenses? You know, of course, that there have been complaints from the fishermen, that they were being severely dealt with, and that there was no competition in the matter; that they had to take what was offered them, and it was thought that this plan of issuing co-operative licenses would be a solution in some way of that difficulty?—A. Of course I suppose this is a free country, and if a man was properly equipped to pack his fish as it should be packed, I do not see any reason why he should not have the opportunity.

Q. Do you think we could govern or regulate that matter by exacting a standard of canning?—A. Well it would be pretty hard to regulate the thing, I should think so. Of course it takes considerable money to equip a factory and get in a position to do the work, and where a few men would co-operate together, the equipment would, for one or two years, take all the profit.

Q. And it would require considerable capital to start with?—A. And then, to-day, it is not the idea of packing the lobsters, but the idea, to-day, is to sell them.

Q. Do you think that, one year with the other, the fishermen would be better off if they were allowed to pack than if they continued to fish and to sell to the cannery?—A. That would be something for themselves to decide.

Q. As to this matter of exacting a standard do you not think that some fresh regulations should be insisted on regarding that matter with a view of protecting the pack?—A. I should think there should be everything done that can be done in every way to ensure proper packing, because there is no use putting up an article that is not fit for food.

Q. And the greatest care requires to be observed in packing lobsters?—A. The greatest of care, unless you take the greatest of care all the way through you will get left.

Q. Using soft wood tables, not covered and not scraped, is it possible to put up a good article?—A. You would have to be very careful.

Q. One of the greatest difficulties to be guarded against I understand is the souring of the meat?—A. It is.

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Q. Is not that very apt to occur unless proper appliances are used and proper tables are provided?—A. Yes.

Q. What is your opinion as to the best covering for a table?—A. We do not want to go very high, and we generally use zinc.

Q. Zinc or galvanized iron?—A. I do not approve of galvanized iron, glass or marble are very much better.

Q. Neither of them is a very expensive article to use?—A. Not very, but I imagine there is more danger of their being broken.

Q. Glass, bedded in cement, stands a lot of rough usage, and I have seen a table covered with enamelware which makes a very good table?—A. That would be very nice.

Q. Then as to the matter of packing, once it has been put up in the tins, do you think there is any good reason why the product of the lobster cannery should not be subject to inspection as are all other food products to-day?—A. If you come to examine into it you will find it pretty well inspected already.

Q. We have met, since we have been on this trip, on several occasions, the agents of the purchasers who make their inspection at the canneries, but what I mean is an official Government inspection?—A. I think it would be a very good idea.

Q. Do you think that the present staff of fishery officers is competent to make that inspection?—A. No, sir, I do not think so.

Q. It would require an expert in the business to make that inspection you think?—A. I should think so.

Q. As to the matter of licenses do you think there is any reason why a license should be refused to aliens?—A. I do not see why, I am sure.

Q. Some people are opposed to the issuance of licenses to aliens and say it is absurd while we have so many Canadians who want licenses and cannot get them.—A. Well, every country almost is on the same footing, if you want to establish a business you can do so if you have the capital.

Q. Would any Canadian be permitted to pack across the border?—A. They do not do any packing in the State of Maine.

Q. The Americans I think are the pioneers in the business?—A. They are the pioneers in the business here.

Q. And all that is alien here is their capital, they employ Canadian labour and material do they not?—A. Altogether.

Q. What is the practice with regard to the lobsters they put up, do they ship the lobsters out of this country and label them as the American article, is that done now?—A. No, sir, the goods are labelled and stamped here.

Q. Where is the principal market for your canned lobsters?—A. In the United States.

Q. Entirely in the United States?—A. Entirely in the United States.

Q. Was the American market affected the same as the British market last year?—A. Yes, sir.

Q. Can you give us any idea as to the extent of the depreciation; of course that is shown in the trade journals?—A. Certainly, it is shown in the trade journals, of course at one time the article was practically unsaleable.

Q. Have you noticed, within your time, any appreciable decline in the average size of the lobsters?—A. I cannot say that I have.

Q. Not in this locality?—A. Not in this locality, I cannot say that there has been.

Q. Do you think where that decrease does exist that it is the natural result of over-fishing and destructive methods?—A. I suppose it is, sir, there is no doubt about it.

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Q. Do you think that the different size limits and the different seasons in adjoining sections of the coast are unsatisfactory and likely to encourage violations of the law?—A. Well, I do not see that it is.

Q. Do you think that, as far as possible, the seasons and the size limit should be uniform?—A. Well now, I do not think that, I think that the season should be fixed according to the needs of the locality.

Q. Is it your opinion that more damage is caused by fishing very late in the season, that the proportion of young, undersized lobsters and berried lobsters is greater at the tag end of the season than it is at any other time in the season?—A. I rather think it is.

Q. Is it the case that canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen?—A. There are some cases of that kind, yes, I would say so.

Q. Have you any experience in this matter of pounds as compared with hatcheries?—A. No, sir, I have not.

Q. What do you think is the best way for us to proceed in order to protect the berried lobster?—A. To liberate her of course as you get her.

Q. The percentage of berried lobsters is not large?—A. Not so very large.

Q. Would it involve any great loss to the fisherman if he did that regularly?—A. It would be some loss to him, no doubt about that.

Q. But the loss would not be very serious or hard upon him?—A. No, it would not.

Q. Have you any mode to suggest whereby we could protect that lobster? The fisherman, if we should pay him for those lobsters should be required to throw them overboard, how could that be arranged?—A. The only way that I can see that it could be done is either by the fisherman bringing the lobster to the hatchery or have the smack man punch the tail and throw it overboard.

Q. Are you aware that that has been done in the State of Connecticut?—A. I believe you made that remark.

Q. You do not know how that turned out there at all, you had no experience?—A. I could not say.

Q. Do you think there is any great disposition on the part of the fishermen to protect that lobster now, are they really beginning to realize the necessity of doing so?—A. I think they are.

Q. We have been told in a great many places that that is the case?—A. I think they are realizing that here.

Q. Do you think that anything would be gained by sending some one down here to preach to the fishermen on the subject?—A. I suppose they are all open to conviction.

Q. The Agriculture Department, of course, sends around experts to explain to the farmers the best methods of cultivation and rotation of crops, the best kinds of stock to raise and so forth; do you think the same thing could be done in regard to the lobster fishery with good effect?—A. I think so.

Q. What do you think of this proposition to require the fishermen to take out a license?—A. I think it would be all right.

Q. Do you think that a man having a printed license in his pocket would regard himself as being in the position, more or less, of a fishery officer, and therefore feel it to be his duty to observe the law himself and to see that others would do so?—A. I think there are some who observe the law themselves and would also like to see others do so as well.

Q. Do you think there is any packing done here out of season at all?—A. Not that I am aware of.

Q. Do you think that the existing penalties for violations of the law are sufficient if they are enforced?—A. I think so.

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Q. What do you think of the proposition to close down the lobster fishery altogether for a term of years?—A. Well, I do not think that would be satisfactory at all.

Q. And the fishery here has hardly reached a condition requiring such a heroic remedy, is that your idea?—A. I do not think so, not in my experience.

Q. What do you think of that other suggestion to do away with the size limit, and protect religiously the berried lobster, at the same time shortening the season at the end; it may not be the case here, but in many places it would be a very difficult thing to enforce that size limit?—A. It would be here. I think, of course, that the season is all right as it is, and I think that the berried lobsters should be protected, but I do not think there will be much trouble in enforcing a seven inch limit, and I do not know of anything else that can be done.

Q. Then you would not favour doing away with the size limit entirely?—A. No, I think the 7 inch limit would be all right.

Q. Would you favour a universal close season for the whole Atlantic Coast from July 15th to January 1st?—A. Well, so far as we are concerned it would be all right.

Q. That would be a shortening of the present season here by 15 days, and on the other hand it would not be putting any opening limit at all, nature would provide that?—A. No.

Q. How did the opening of the season come to be fixed on the 1st of May? We find it in some places April 20th, and in other the 6th of January, others again the 15th of January, and in some cases April 1st and May 1st?—A. I do not know, you see the ice with us protects everything in that line.

Q. It does that everywhere?—A. In the west again it opens earlier than it does here.

Q. West of Canso it does, but north of Canso the conditions are governed by the ice.—A. I know that they are three weeks ahead of us at Canso. I know that they are packing up there in April when we are solid with ice.

Q. But from the lobster point of view is there any reason why the lobster season should not begin on the 1st of January? It used to begin then you know?—A. Yes, I do not see any reason why it should not.

Q. That was changed, as I understand it, at the suggestion of the canner who supplied his own gear and outfit, and the fishermen were anxious to commence early in the spring and did not care whether the gear was lost or not.—A. It is no doubt it would be a good thing for a man owning his own gear to have a certain date to set it out.

Q. Now one of the propositions of course is to set the season in that way, and south of Canso there is another proposition to fix the season from July 1st to January 1st, and there to insist upon a larger size limit, because there they have all the advantages of the live lobster market; how does that strike you?—A. As I am not familiar with the live lobster market and with the country anywhere west of Scatari, I cannot say very much about it.

Q. These are Professor Prince's suggestions. Have you seen the evidence taken before the committee last session?—A. I have.

Q. Now, as to the price paid for the lobsters, you are no doubt aware that there is friction in a good many places between the fisherman and the canner; how is that regulated now?—A. As far as the canner is concerned, he regulates his price, he pays the fishermen according to the price at which he can sell his pack.

Q. Is there any agreement or understanding among the mass of the canners that a certain price will be paid and no more?—A. Not that I am aware of.

Q. That is to say, there is no combination; so far as you know, there is no combine?—A. There is none that I am aware of.

Q. Has there been, within your experience, any competition, a certain looseness in that matter, have some paid a little more than others?—A. Oh, they are always looking out for themselves as in any other business.

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Q. You have no experience in the live lobster industry?—A. No, sir.

Q. Would the fishermen in this district have any market for their lobsters if the cannery were closed?—A. No, sir, I believe not, any more than that there is a local market here.

Q. Do you think where the possibility exists of shipping the live lobsters that trade should be favoured in preference to the canning industry?—A. I do not know.

Q. Have you had any experience with hatcheries?—A. No.

Q. Would you favour the establishment of more hatcheries?—A. I would.

Q. Is there much gear left in the water here intentionally?—A. I do not think so.

Q. That is not likely to occur here where the fishermen own their own gear?—A. No.

Q. Where the packer owns the gear he complains that in many instances at the close of the season the fishermen disappear and the gear is left in the water. As to that matter of stamping the cases, do you think there is any good purpose served by that?—A. I think there is a good purpose.

Q. You think it prevents the packing of illegally packed lobsters; it should prevent that?—A. The illegal packing of lobsters.

Q. Do you know anything about fishing in lagoons and bays? Were you in Prince Edward Island?—A. I was at North Point.

Q. There are no lagoons there?—A. No.

Q. It has been suggested that wherever there are bays and lagoons to which the lobsters retreat at the close of the season no fishing should be allowed there, and at Prince Edward Island it has been suggested that fishing in those places like Richmond and Malpeque Bay should be prohibited, but you have no experience of that kind of thing?—A. No.

Q. What would you say is the average earning of an industrious lobster fisherman?—A. I think that a man who attends to his business and has a favourable year—of course, you sometimes have bad years——

Q. That happens with every fishery?—A. I think that at the best the average man would average \$200.

Q. That is for two and a-half month's fishing?—A. Yes.

Q. What is the average price paid to sealers? Those are the best paid men in the factory?—A. Yes; they get about \$45.

Q. Does that include maintenance?—A. No, sir.

Q. He maintains himself?—A. Yes.

Q. And as to the other men, what wages do you pay?—A. That varies a great deal. We do a great deal of our work on the piece work basis; and the men are paid from \$1.25 to \$1.60.

Q. What is the principal part of the work in a factory?—A. Cleaning and things of that kind.

Q. And the girls, how are they paid?—A. We usually pay them from 50 to 60 cents a day.

Q. And they maintain themselves?—A. Yes.

Q. Do they usually work full days?—A. The days are usually short.

Q. And are they only paid for a fraction of the day?—A. No, they are paid straight time.

By Mr. McKenzie, M.P.:

Q. I was asking the last witness what the packer has to guard against in packing so as to produce a good article. Can you give us an idea what are the precautions which must be taken in packing to ensure the production of a good article?—A. We have to take every precaution we can. The packer wants to get his fish as fresh and nice as possible, he must have the meat prepared as nicely as he possibly can, and be

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sure that there are no shells or anything like that get in the can, and he must have his place nicely washed.

Q. What mistake would an inexperienced packer naturally fall into in connection with his packing? I mean more especially, are there sections or parts of the lobster that an inexperienced packer might put into the can which an experienced man would leave out?—A. I cannot say there is anything in that way. For instance, if a man is not properly fitted out to wash and cleanse the meat properly and have his goods in proper shape to put in the can, he will get a poor pack, and he has to be very careful in bathing his cans and filling them as well.

By the Commissioner:

Q. The lobster must not be left to sour on the tables, but you must put them in the cans as soon as possible after they are cooled?—A. Yes.

By Mr. McKenzie, M.P.:

Q. Would you mind telling us what, in your opinion, is the amount that would be required to fit out a canning factory for say a small company of five or ten men who want to can their own catch?—A. I would not say, but I do not think it is possible to fit up any kind of a place in any kind of shape for less than \$500 or \$700. I know that with us, in order to get our business established and to get things in shape, it pretty well costs \$1,000, that is without the tins.

By the Commissioner:

Q. That is for the cannery and building, the fireplace, tables, etc.?—A. Yes; no matter how small the factory is it will cost that much.

Q. Is there anything else you would like to add, is there anything I have not covered, or have you any further suggestions to make?—A. I have nothing I would like to add to what I have already said.

Witness discharged.

Commission adjourned.

NEIL'S HARBOUR, C.B., August 25, 1909.

A. B. MONTGOMERY, fishery officer, Neil's Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. I am the fishery officer here.

Q. Touching the matter of the lobster fishery you never did any lobster fishing yourself?—A. Very little.

Q. It had not been our intention to examine officers of the Department because the Department can get what information it wants from them at any time. Perhaps now that you are here you might give us some information in reference to the canneries. What number of canneries is licensed in this district?—A. Three.

Q. Who do they belong to?—A. McLeod Bros., Thomas Williams, and Mr. Buchanan.

Q. Are these all local owners?—A. Yes.

Q. What is the extent of the product? What do they put up altogether, we do not want it very closely, because we will get that later in the statistics?—A. Do you want the values?

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Q. Not in value, but how many cases?—A. Well, this year it was away behind.

Q. Well, what do they put up in an average year?—A. I could not make a very definite statement.

Q. Can you tell us what they packed this year?—A. No, I could not from memory.

Q. Are there a large number of boats employed in the lobster fishery here?—A. Well, quite a number, nearly all the men are employed in it.

Q. How many boats would you say there are?—A. 20, 23, and 15, I think that is about the number I have.

Q. Do the fishermen here as a rule own their own boats and gear?—A. Yes.

Q. How are the men who fish lobsters here, do they fish lobsters and then go to the other fisheries afterwards?—A. Yes, most of them.

Q. And are some of them men who only fish lobsters and then retire to their farms?—A. There are very few of those men, I do not think there are half a dozen in this district but what go into the other fisheries afterwards.

Q. What is the principal fishing industry here?—A. Cod fishing.

Q. And you also get mackerel, I suppose?—A. We get very few mackerel.

Q. In what depth of water do they carry on the lobster fishery generally, how far off shore do they go with it?—A. They do not go very far, the depth varies from 3 to 14 fathoms.

Q. What is the condition of the fishery now compared with what it was 20 years ago?—A. There is not much difference.

Q. Are they doing as well? Do they get the same quantity of fish with the same amount of gear?—A. I think there would be some falling off.

Q. How are the regulations observed with regard to the size limit and the protection of the berried lobster here?—A. Fairly well.

Q. What is the practice with the canners, do they take everything that is brought to them?—A. Well, I think so. They do not, of course, take the berried lobsters.

Q. They never have?—A. It is not a custom with them at all.

Q. And they never have taken the berried lobster?—A. Well, I would not say.

Q. Tell me, has the practice of brushing the eggs off the berried lobster been followed at all here?—A. Do they take them that way?

Q. It is not with a view of prosecuting or doing anything of that kind that I am asking the question but merely for the purpose of finding out the actual conditions so that in making further regulations we may know what to avoid and what is best to do.—A. I think there would be very few exceptions that would be inclined that way.

Q. How would a strict enforcement of the regulations affect the canner here, that is if he were confined to the 8-inch limit?—A. It would affect them greatly.

Q. Some canners we have had say it would put them out of business altogether.—A. It would hurt them here.

Witness discharged.

GEORGE GILES, fisherman, Neil's Harbour, called and sworn:—

By the Commissioner:

Q. Have you always been a resident of this place?—A. Yes, sir.

Q. How long have you been connected with the lobster fishery?—A. About 7 or 8 years.

Q. Only 7 or 8 years?—A. Oh, yes, it is more than that, I suppose.

Q. You are a fisherman, you live by fishing?—A. Yes.

Q. You own your own boat and gear?—A. Yes.

Q. And I suppose all the fishermen do here?—A. Pretty much so.

Q. Does the canner supply any outfit at all?—A. He does to outsiders.

Q. To those who are not regular fishermen?—A. Yes.

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Q. In what depth of water do you generally fish at the beginning of the season?—
A. About 14 fathoms, that is the deepest.

Q. When do you begin generally?—A. As soon as the ice will allow us after the 1st of May.

Q. I suppose it is very seldom you get out on the 1st of May?—A. Very seldom.

Q. One year with the other what date would you say that you start to fish?—
A. The middle of May.

Q. The delay is generally due to the ice?—A. Yes.

Q. And later on do you move into shoal water?—A. We move in according to the season.

Q. What sort of bottom do you fish on?—A. Pretty rocky.

Q. I suppose it is all pretty rocky around here?—A. Pretty much so.

Q. Do you fish up to the close of the season, up to the end of July?—A. No, sometimes we cannot fish but little more than one-half of it because the storm comes and takes away all our gear, and when that happens you are done.

Q. That is when you are in shoal water?—A. It sometimes happens when we are outside.

Q. But as a rule you do not fish to the end of the season?—A. No, we generally knock off a fortnight before.

Q. Is that on account of the rough weather or because you have other fishing to go to?—A. The storms take away our gear, and it does not pay anyone to fit out again.

Q. What is your principal fishery here, is cod the principal fish?—A. No, lobsters I would say.

Q. How do you find the lobster fishing, when is it at its best?—A. When it commences, the first fortnight of the fishery.

Q. How do the fish run, do you get better fish in the beginning of the season or towards the close?—A. Yes.

Q. That is as a rule?—A. Yes, as a rule.

Q. How is the fishery now compared with what it was when you commenced to fish?—A. Not as good, the lobsters are not as plentiful.

Q. And do they run as large?—A. No.

Q. So that they have decreased both in size and quantity?—A. Yes.

Q. I heard you say a little while ago that if the regulation size limit of eight inches were enforced here it would affect seriously both the fisherman and the canner too?—A. You might as well give up, because you would not get enough to pay you.

Q. How many out of every hundred fish would you say were below the size limit?—A. Pretty nearly one-half.

Q. Is the proportion the same all through the season?—A. Yes.

Q. Will there not be a larger average of the small ones towards the close of the season than there is in the beginning?—A. Well, yes there is.

Q. What style of traps do you use?—A. What we call the Diamond trap.

Q. That is a sort of parlour trap, is it?—A. No, some use the parlour trap.

Q. What is the advantage of the Diamond trap, do you think?—A. They fish better, you can keep hauling them.

Q. How do you fish them, on single lines or on a trawl?—A. Some each way.

Q. What bait do you use generally?—A. Herring.

Q. Do you find that the lobsters fish better with good fresh bait than with old bait? Some people tell us they prefer the old bait?—A. They are generally better the second night it is in than the first night.

Q. Talking of the berried lobsters, what percentage of them do you find in your catch?—A. Not very many.

Q. How many would you say there were to the hundred?—A. Some days you will get four or five, and then perhaps for two or three days you will not see one. We always put them overboard again.

Q. Have you always done that?—A. We have within the last three or four years.

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Q. Is there any fisherman's union here?—A. No.

Q. What induced you to put them over? Are the fishermen generally of the opinion now that it is better to return them to the water?—A. Yes, return them to the water to spawn.

Q. Did they not always do so?—A. No, they did not always do so.

Q. As to the price paid, what do you receive for lobsters here? How are you paid?—A. \$2.25 on a cwt. this summer.

Q. Did you ever sell by count here?—A. At the first going off, yes.

Q. And this summer you got \$2.25 per cwt.?—A. Yes.

Q. What did you get last year?—A. \$3.75 and \$4 the year before.

Q. You were lucky, you got more than most people. How is that matter arranged between you and the canner?—A. Well, I do not know hardly how that is.

Q. I suppose when you decide to fish lobsters you come to the canner?—A. Yes but they do not know what they can give exactly.

Q. I suppose they have to wait until they get instructions from headquarters and until they know the market price? There has been no misunderstanding or ill-feeling between the fishermen and the canners here?—A. No, sir.

Q. There has been at some places. You are satisfied with the price you get, are you?—A. No, the fishermen were not satisfied this summer, not at all. The price went down.

Q. But did you understand the reason why that happened?—A. We do not know, they say the lobsters were down, but we do not know anything about that, and you hear reports outside that lobsters are a good price.

Q. As to the matter of licensing, what is the feeling here? Do the fishermen think they would be better off if every one were canning for himself?—A. I should say so; if there is anything in it a man would have it for himself then.

Q. Do you think every fisherman would be able to do that?—A. Well, each fisherman would not, but a club could get together.

Q. That has been the policy of the department for the last few years; in any case where the fishermen wish to club together for that purpose the department has given them a license, and that is the only license that is being issued now. The practice of the department for a number of years back has been to keep down the number of canneries, the idea being that in doing so they would protect the fishery, but the fishermen have complained that in some places they could not get a fair show from the canneries?—A. If the fishermen could not get the price they would like, and they could can their own lobsters if they felt inclined to do so, they would feel much better satisfied.

Q. Do you think that this method of dealing with the matter which has been adopted by the department is the best that can be done under the circumstances, to allow a group of fishermen to come together and say "We wish to can our lobsters," and then issue them a license?—A. I should say so.

Q. What do you think is the spawning season of the lobster? When do they hatch out their eggs?—A. Pretty nearly any time in the summer we find spawn on them, all through the summer, off and on.

Q. Is there any time when you see more of them, do you think they are more numerous at any one part of the season than at another?—A. When they strike into the shore.

Q. About what time is that?—A. About July.

Q. Do you think they come into the shore to spawn?—A. Yes, I think they do.

Q. What is the shoalest water you fish traps in here?—A. About three fathoms.

Q. They come in closer than that in some places?—A. Oh yes, some come in as handy as they can get.

Q. They come in so close that the traps dry out at low water in some places?—A. Probably so.

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Q. Now as to this matter of the berried lobster, what do you think is the best way for the Department to protect that lobster?—A. There is one thing I want to speak about, there is a steamer coming here every summer to buy the berried lobsters and take them away.

Q. A steamer coming here to buy seed lobsters?—A. To buy seed lobsters.

Q. Where does she come from?—A. From Louisburg way, Baker's steamer.

Q. That was to take them and put them in the pound, I suppose? I did not know they came this far. Did he come more than once?—A. No, sir, no one would sell them to him, we wanted to put them overboard here, because it was taking seed lobsters away from our own shore.

Q. There is a pound at Fourchu and Mr. Baker entered into some arrangement with the Department by which they would pay him so much for all the seed lobsters he could collect and save, that was done with a view of saving them because it was understood that it was the general practice to take them and brush the berries off. The object of the Department in making that arrangement was to save the seed lobster.—A. I should say that would be a good thing if there was one in each district.

Q. What do you think of that method of saving the berried lobster?—A. That is a good idea if you could save them in your own place and not take them away from your own waters.

Q. Is there any suitable place in this neighbourhood where a pound could be opened? You want a sheltered place, and at the same time there must be a considerable depth of water, with a free rise and fall of the tide, and there must be a narrow entrance so that you can close it off?—A. At Barachois up here there is a place that would suit.

Q. There is another way of saving the eggs, not by putting the seed lobster back into the water, but by bringing her in, taking the eggs off and putting them in the hatchery where they are hatched in jars, the young lobsters afterwards being deposited in the sea. Undoubtedly the best way is to put the berried lobster back where she belongs. What in your opinion is the best way to get the fishermen to do that always? You realize that unless the berried lobsters are protected either by putting them back in the water or by stripping the eggs and hatching them in the hatcheries, it must bring ruination to the fishery in time?—A. Certainly, and if everyone puts them overboard I suppose it will be all right.

Q. But is that done now, do you think?—A. It is done by most people, so far as I know.

Q. If it is not done, what would you suggest yourself as the best way of getting it done?—A. I could not say.

Q. Of course if the percentage of lobsters bearing berries is not very large it would not mean a very serious loss to the fishermen if they all agreed to put them back, would it?—A. Oh no.

Q. And it would mean a great gain to them ultimately in an increased fishery, would it not?—A. Yes.

Q. It has been suggested at some places that the best thing to do is to have the seed lobster brought in and paid for in some way or other. Of course where they are put in pounds we ask the fishermen to bring them in and deliver them to whoever is in charge of the pound, and a certain sum is paid for each lobster.—A. I suppose that would be a good thing to be done here, everyone likes to save all he can.

Q. But still the number of berried lobsters any man would get in a season is not so large, is it?—A. Oh no, but I suppose some get more than others, that is the difficulty, you see.

Q. Various suggestions have been made to the Department with a view of improving the lobster fishery. One suggestion was that we should stop fishing altogether for a term of years in order to allow the lobster fishery to come back to what it formerly was.—A. I suppose they would be that much more plentiful when you began again.

Q. What would the fishermen do in the meantime?—A. I do not know.

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Q. Would it be a serious loss to stop fishing?—A. It would be to most of us.

Q. The last Lobster Commission which came around recommended that we should close down by sections, that we shut off one part of the coast for a year or a couple of years, and let the other parts of the coast go on fishing, moving around until gradually the whole coast had been covered by a close season.—A. I do not think that would be much benefit, the lobsters from the Nova Scotia coast would not come down here.

Q. You would be shut off here for a term of years during which the lobsters would grow, they are not supposed to travel very far, the idea being that when they go off shore they do not travel along the shore, but back off into deep water. Another suggestion that has been made is that we should do away with the 8 inch limit, and religiously protect the berried lobster, and in exchange for giving you the right to take all the lobsters we should close the season a few weeks earlier, that would allow you to take the small lobsters without making it illegal to do so as it is now, the idea being that by cutting off the tag end of the season we would save so many of the berried lobsters that it would, in a few years, make up for taking the small lobsters?—A. Well, what I think of it, after having been here for the last few years, I think that if July were closed down and we were given the month of September instead of July it would be a good thing for the fishermen.

Q. You think you could fish here in September?—A. Some years it is the best weather we could get.

Q. Of course, there are a great many places where they say they could not fish in the fall on account of the westerly winds, but you are protected from them here?—A. August here is the worst month, and September is the better month.

Q. That would be your idea, to knock off July altogether? To knock off the last of July and to have September?—A. In the middle of July we can knock off all right.

Q. How would it be, do you think, if the size limit were made 7 inches instead of 8, would it be any better?—A. Not at all; it is no use making any limit on size at all, I don't think, in this place. Anything that is large enough for the canner to put up the fisherman should be allowed to bring in and get paid for.

Q. That may seem all very well, but supposing you kill off all the young of any flock, what is going to happen? The lobster has not reached the point at which it can reproduce itself until it is 8 inches long, and if you kill off the undersized ones, where are you going to get the big ones finally?—A. You do not get the big ones in here at all, only a very few.

Q. But you used to?—A. They were all caught off and canned years ago.

Q. The object of this inquiry and of the regulations which it is intended to make as a result of the inquiry is to bring back, if possible, the original condition of affairs?—A. If you want to do that, the only thing to do is to shut down altogether, that is about the only correct way that I know.

Q. Are there any other industries that the fishermen could go to in the meantime?—A. They could go into cod fishing.

Q. What would you do with all the gear that would be thrown on your hands in that event?—A. That would go to wreck.

Q. That would mean the loss of a considerable sum. You see there are a lot of things to be thought of before you decide to shut down. Has there ever been any attempt made here to ship the lobster alive to market? You have not the facilities for doing so, I suppose?—A. There is no way here by which we could do it.

Q. Do the fishermen usually fish more gear now than they did when you began?—A. Oh, yes there are now twice as many at it.

Q. How many traps would a man use in a single boat?—A. Some 100, some 60 and some 70.

Q. And how many in a double-handed boat?—A. They are all single-handed boats in this neighbourhood.

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Q. What do you consider the trap is worth with the gear and everything ready to put into the water?—A. They used to call it \$1, that is what the canners used to allow.

Q. What style of boat do you use in the lobster fishing, is it a smaller boat than is used in the cod fishing?—A. Yes.

Q. What would a boat for the lobster fishery be worth?—A. \$10 or \$15.

Q. How long do you consider the traps would last? What is the life of a trap?—A. They are smashed up sometimes in one summer; I have seen them all smashed the first summer.

Q. What is the average life of a trap?—A. If you get a trap to last you three years you do very well.

Q. What percentage of loss do you suffer here one year with another; you reckon on losing so many traps every year?—A. Yes, some lose all, some were cleaned right out this summer, and some made just about enough to pay their expenses.

Q. What is the smallest lobster you ever saw with berries on?—A. I do not think I have ever seen any very small ones with berries, they are mostly big ones.

Q. What is the smallest you have seen with berries?—A. About 6 inches.

Q. You think you have seen a 6-inch lobster with berries?—A. Yes.

Q. That is the smallest I have ever heard of, most people say the smallest they have seen is about 8 inches?—A. I have seen one or two of that size with berries on this summer; they were about the smallest I ever saw.

Q. Have you ever lost a catch of lobsters because the canner refused to accept them?—A. No.

Q. Is there anything else you would like to say, are there any points that I have not covered in my questions?—A. How is it about outsiders coming here from other parts and fishing lobsters? Do you think that is right?

Q. What do you mean by 'outsiders'?—A. Men coming from Newfoundland.

Q. To fish lobsters? I do not know about that; they are British subjects, of course. I think Newfoundlanders have the right to fish in British waters?—A. Yes, but if any of us go over there they won't allow you to put out a net, and I do not think that is fair. They come here and do what they like, but you cannot go there.

Q. I did not know that you suffered from that, do they come over here regularly?—A. They seem to make a practice of it now.

Q. What do they do with their lobsters?—A. They sell them to the canners here, take the money and walk off with our money.

Q. There is nothing in the law to prevent that, because they are British subjects, and, under the law, I suppose they have the same fishing rights as we have ourselves?—A. Could there not be something done to prevent that?

Q. There is another thing that I forgot to ask you about. It has been proposed that the lobster fishermen should take out a license, and I suppose if that were done we could keep out the Newfoundlanders. The suggestion is that every lobster fisherman should take out a license which would show that he was a licensed lobster fisherman, the idea being that if a man did that he would be more careful to observe the regulations himself and would be apt to see that others observed them also. That is the theory of those who recommend this. It would not necessarily cost you anything, but every lobster fisherman would have to take out the license and would not be allowed to fish lobsters without it. In that way by limiting the licenses to residents we could perhaps prevent the Newfoundlanders coming in here?—A. You had better find out from some of the rest what they think about it, but I would pass that law.

Q. You would?—A. Yes.

Q. The theory is that if a man had that license in his pocket he would feel that he was in duty bound to observe the regulations, and that he would take care that others who were fishing in the same neighbourhood did the same. If a man were found to be persistently violating the law by taking berried lobsters or otherwise,

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the license would be cancelled and he could not fish any more. It would cover the Newfoundlanders case, because the regulation might be made confining it to residents of the Dominion.

Witness discharged.

JAMES FREKEL, fisherman, Neil's Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been lobster fishing?—A. I have been engaged in lobster fishing about 23 years here, and in Newfoundland for four or five years before that.

Q. Are you a Newfoundlander?—A. I came from England to Newfoundland.

Q. How long were you in Newfoundland?—A. About twenty years.

Q. And then you moved over here?—A. Yes, sir.

Q. How does the lobster fishery here now compare with what it was when you started?—A. Regarding the size of the lobsters here I do not see but very little difference, taking one year with another from what it was when I came here first, and I do not believe that the fishery has run out very much, only there are so many more people at it.

Q. What would you say is the difference? Has the number of people engaged in the fishery doubled since you commenced fishing?—A. Yes, there were only six or seven boats when I fished for this firm first.

Q. What firm do you fish for?—A. McLeod Bros.

Q. Have you always fished for that firm?—A. No, sir, because they have not been in the business all the time.

Q. Do you think there is not much difference in the fishery now?—A. No.

Q. Do the lobsters run as big as they did formerly?—A. No, sir, very little difference, because never since I have been here have they been nearly as large as they were in Newfoundland.

Q. How long were they fishing lobsters before you came here?—A. Only one year before I came here, I think.

Q. Lobster packing has been going on for 40 years here, I know.—A. It must have been more than one year before I came.

Q. What number of traps do you fish?—A. I used to fish 100, but now I only fish 50.

Q. They are getting heavier now, I suppose?—A. I am getting older.

Q. Is that the usual run for one boat?—A. The young people fish 100.

Q. How do you usually fish them?—A. In trawls, I might have a dozen single.

Q. What sort of trap do you use?—A. The Diamond trap.

Q. Is that trap used here altogether?—A. Some have the Parlor trap, only a few.

Q. What do you claim to be the difference between the Diamond and the Parlor trap? What is the advantage of the Diamond trap?—A. I have never used the Parlor trap, but they say the Diamond trap is easier to haul, and you can haul them twice a day.

Q. The advantage claimed for the Parlor trap is that it holds the fish better, is it not?—A. Yes.

Q. Tell me how long have you been fishing this Diamond trap?—A. I do not know, I think about nine years.

Q. Before that what did you fish?—A. Those long ones.

Q. That is the old-fashioned one with the double end?—A. Yes.

Q. Do you leave the same space between the slats now that you used to?—A. About the same.

Q. What space do you leave between the slats?—A. About an inch and a half.

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Q. I do not think there are many with inch and a half spaces now?—A. About an inch and a quarter, perhaps.

Q. About the width of the lath?—A. Yes, about that.

Q. If you have an inch and a quarter space it will allow a pretty large lobster to escape, will it not?—A. Yes, it will. But if you get a small lobster that is not worth taking to the packer you may as well throw him overboard.

Q. Do you usually follow the same rules as the others, you move in as the season advances?—A. I do not move my traps much, I might move seven or eight single ones, but when I put them out in the spring I usually let them remain there.

Q. How do you find them work?—A. I do not see much difference. If the weather is rough the lobsters are away out in deep water.

Q. And in deep water you are not so likely to lose your traps are you?—A. No.

Q. Who fixes the price paid for lobsters?—A. The packers give the price you know.

Q. Has that always been the case?—A. Yes.

Q. What would be the price when you first began to fish?—A. Fifty cents per hundred count.

Q. What was it in Newfoundland, the same thing?—A. No, then we used to get everything there you know, and now there is nothing.

Q. Had you any close season at all then or did you fish all the year round?—A. There was a close season in the month of August, however we did not close up we always fished on. Then we fished again in September as long as we could, almost until Christmas.

Q. What part of Newfoundland?—A. Manchester Harbour.

Q. What is your opinion of this matter of licensing the canneries, do you think that every man who applies for a license should get one?—A. I do not know, I do not understand about that.

Q. Do you think that taking one fisherman with another, the fisherman would make more money if allowed to can on his own hook?—A. I suppose some would, those who understood putting them up, but I never put up any.

Q. Would it not require some capital, and he would have to make other arrangements before a man would be in a position to can for himself?—A. I suppose he would.

Q. Are the fishermen generally satisfied with the price they get for their lobsters?—A. We have to be satisfied of late years, but last summer it was pretty low; the canners I suppose did not get anything for them, and we could not get any higher price.

Q. You have had a good deal of experience in codfishing?—A. I do not do much now.

Q. But you have done it?—A. Yes, I have.

Q. Does not the price of cod vary, go up and down?—A. Oh, yes, it does.

Q. And is it not to be expected that the price of lobsters will vary in the same way, the same as it does for cod and mackerel?—A. Oh yes, everything does.

Q. What do you think about the regulations for the future, what would you, supposing you had to make regulations for this fishery, what would you do yourself with a view of saving the berried lobster?—A. I would put them overboard, that is what I would do and we would have them then right on our own ground.

Q. What, in your opinion, is the best way to get that done?—A. I think myself that every one here does it.

Q. Do you not hear of some who strip the berries off?—A. No, we do not hear at all of any one doing it now. I know I have done it before now when I began first and cleaned them in the boat but I do not do that now.

Q. Then you have reformed?—A. Yes, I do not take any of them now.

Q. What is the best way of inducing all the fishermen to do that everywhere? There is no doubt that would be the salvation of the fishery.—A. It is pretty hard to catch them at it if they want to do it.

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Q. What do you think of this method of licensing the fishermen? You know it has been suggested that every fisherman should take out a license?—A. I suppose that would be all right.

Q. Do you think that a man who had taken out a license would be more careful about observing the law?—A. One would be watching the other then.

Q. They would all be fishery officers as it were?—A. Yes.

Q. Do you think anything would be gained by sending somebody around at some season of the year, whatever period might be deemed best, to get the fishermen together and explain to them the necessity of looking after the seed lobster? Do you think anything would be gained by that?—A. Well, I suppose those who did take the berried lobster would say they did not.

Q. And you think they would go on doing it just the same?—A. Yes.

Q. I am afraid you have not much faith in them?—A. Well, that is about how it would be.

Q. Do you think there is anything in the suggestion to keep the fishery further off shore, not allowing the fishing to be done in shoal water?—A. I do not think so.

Q. Some people have told us that fishing should certainly not be allowed inside a couple of fathoms?—A. You would not fish in less than three.

Q. They say that in fishing in shoal water like that at the tag end of the season they get a larger proportion of berried lobsters and more small lobsters, do you think that would be the case?—A. I have fished in Newfoundland, and out of one trap I had inshore I fished 15 lobsters.

Q. What would you think of doing away with the size limit altogether and shortening the season by about 10 days?—A. That would be all right I should think, because it is not very often we carry it on any later than that.

Q. About the 20th of July you begin to slack off?—A. Yes.

Q. And you begin to fit out then for the codfishing?—A. Those that fish cod do.

Q. The sale of live lobsters does not concern you at all, you have no chance to ship them from here?—A. No.

Q. Has there ever been any friction or trouble, you know that in other places there has been, between the packer and fisherman?—A. No, there has never been any trouble here, when our work is done we get our money, and there has been no trouble.

Q. What is the average catch of the lobster fisherman in the average season?—What is the best catch you have ever made?—A. I have made \$100 odd at 50 cents a hundred.

Q. You are not making as much now?—A. No, I made \$90 last summer.

Q. How much did you make this summer?—A. \$26.

Q. You did not fish steadily?—A. Yes.

Q. What was the trouble?—A. Well, the weather you see.

Q. It was altogether due to the weather?—A. Some did not make that much.

Q. That was not a very profitable season?—A. I had \$8; after paying for my gear that is all I had coming to me.

Q. Do the fishermen have anything coming to them at the end of the season, do they save anything?—A. Some do.

Q. How is it with the fishermen generally, do they try to put anything away?—A. They cannot put anything away because they have to provide for the winter.

Q. Those who are young and active ought to be able to make something?—A. The young people may.

Q. Does not the fisherman out of his fishing make enough to put something by for a rainy day?—A. It is pretty hard to do it, it is a hard job to get enough to carry you through the winter, which is long. If you can get enough to carry you through the winter and pay your way you are happy enough.

Q. You are satisfied with that are you?—A. The winter is all right, we can go into the woods if we want to.

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Q. Is there any lumbering here to do?—A. No, cutting wood to burn.

Q. Oh you mean just getting firewood?—A. Yes.

Witness discharged.

SILAS STICKLAND, fisherman, Neil's Harbour, C.B., called and sworn:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. About 14 years I guess.

Q. Have you always been fishing here?—A. No.

Q. Where did you fish before you came here?—A. Newfoundland.

Q. Are you a native of Newfoundland?—A. Yes.

Q. What part of Newfoundland?—A. The west part.

Q. How is the lobster fishery conducted here, is it pretty much the same as in Newfoundland? Do you fish the same trap and in the same way you did over there?—A. Pretty much the same.

Q. Do they use the same kind of trap there as you do here?—A. Yes.

Q. What kind of trap is that?—A. It is what they call the diamond trap.

Q. Were they using those traps in Newfoundland when you were there?—A. Yes.

Q. How many traps do you fish?—A. About 80.

Q. Do you fish by yourself in one boat?—A. Yes.

Q. How are those traps fished, on trawls or singly?—A. Trawls, single handed.

Q. What is the advantage of the single line method over the trawl, is it easier to fish?—A. Oh, yes.

Q. You can shift the traps about more readily?—A. Yes.

Q. About what time do you begin your fishing generally, one year with another?—A. We generally commence here some time in May, sometimes earlier and sometimes later.

Q. That depends on the moving out of the ice?—A. Yes.

Q. Is it pretty generally the middle of May, one season with another when you commence?—A. Yes.

Q. In what depth of water do you begin fishing?—A. Sometimes in 18, and we fish up to 6 fathoms.

Q. Do you always fish on the same ground all through the season?—A. No.

Q. You come into shoal water?—A. Yes.

Q. What brings you into the shoal water?—A. To get lobsters.

Q. Because the lobsters are coming in, and you follow them in?—A. Yes.

Q. How do the fish caught in deep water compare with those caught in shoal water, or is there any difference?—A. In the size of them?

Q. Yes, the lobsters you catch in shoal water would be bigger would they not?—A. Yes.

Q. And are they bigger later in the season than at the beginning?—A. No, they get smaller in the latter part of the season.

Q. When do you get the big lobsters?—A. When you set your traps out first you catch the big lobsters until the large ones are all caught up.

Q. And when you go further in you get another run of big ones, and then later on you catch the small ones?—A. Yes.

Q. When do you see the berried lobsters most?—A. About July.

Q. Do you think they come into shoal water to spawn?—A. I think so.

Q. What sort of a run of lobsters are they generally? What is the average size of the berried lobster?—A. They are the largest size most generally.

Q. What size would you say they run?—A. I guess they run to about 9 inches.

Q. Have you ever remarked any small ones among them, what is the smallest you have seen?—A. We very seldom see small ones with berries on.

Q. What is the smallest berried lobster you have ever seen?—A. About 9 inches.

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Q. They tell us that sometimes even a 7 inch lobster has berries, but it is only one in a hundred thousand.—A. There are not many of that size.

Q. You do not find many with berries on at 8 inches, they are from that up, but most of them are over 9 inches? What has been the practice, what was the practice in Newfoundland, when you fished there, with regard to the berried lobster?—A. They used to pack them.

Q. And what has been the practice here?—A. We throw them overboard.

Q. Have you always thrown them overboard ever since you have been here?—A. Sometimes the first year or two I came here I did not, I kept some and some I threw overboard.

Q. Has it ever been the practice here to brush the eggs off and take the lobster to the cannery?—A. Not that I know of.

Q. At some places we have been where the canners are strict about not receiving them the fishermen say they sometimes brush the eggs off and then bring them in. Is that ever done here?—A. Not these days.

Q. But was it ever done?—A. I do not think so.

Q. Do the canners object to receiving berried lobsters?—A. Yes, I do not think they want them.

Q. How about the small lobsters under 8 inches, do they reject them?—A. I guess they do.

Q. They object to receive them?—A. I guess they do.

Q. They do not take them?

Mr. JOSHUA STICKLAND.—Yes, we take them all; we do not take the seed lobsters at all.

Q. Out of every hundred lobsters how many of them are under 8 inches?—A. There would be a good many.

Q. If you were tied up at the 8-inch limit and not allowed to bring in any under 8 inches, how would it affect you? Would it cut off your earnings much?—A. Yes.

Q. Would it cut off one-half of your earnings?—A. I guess so.

Q. In that event, would it pay you to fish?—A. No, it would not.

Q. How do you think it would affect the canner?—A. Of course, it would be just as hard on him.

Q. Do you fish more traps now than when you began?—A. Yes, more.

Q. Why is that? Does it take more traps to make the same catch?—A. Some years it would and some years it would not, according to the weather.

Q. How did you do this year?—A. I did not do much.

Q. Do you mind telling us what your catch was?—A. I cannot tell you; I do not know yet.

Q. What was the best catch you ever did make at the lobster fishery?—A. Last year.

Q. What did it net you?—A. I cannot tell you how many thousands it was, I have forgotten.

Q. Have you any idea what the average catch of an active fisherman is? How much it would be?—A. The price was \$3.75 last year, and I made \$268.

Q. And out of that you have to charge yourself with the traps you lost and all the gear?—A. That is what I made.

Q. That is what you made clear of everything?—A. That is all I got.

Q. That was pretty good fishing, wasn't it?—A. Pretty good.

Q. When did you begin, in May?—A. Sometime in May.

Q. And when did you knock off?—A. The latter part of July.

Q. Do you not generally fish right up to the end of the season?—A. Very seldom.

Q. Why do you knock off so early?—A. Bait is scarce.

Q. And I suppose you are beginning to fit out for the cod fishing?—A. In some years.

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Q. Tell me now, you are a young, active fisherman, how does the fisherman pan out? Are you at the end of the year able to save anything?—A. Not a great deal.

Q. Now, as to this matter of price, how do you arrange as to this price for the lobsters?—A. We did not agree very much about the price this year.

Q. But who fixes it?—A. I do not know I am sure, I suppose the packer.

Q. You were not satisfied with it, you expected more I suppose? We all expect to get more than we really get often, but do you think you got a fair price? Do you think the state of the market was such that the packers could not afford to pay any more?—A. This year you mean?

Q. Yes?—A. No, we were not satisfied.

Q. Did the idea enter your head that the packers had combined to keep the price down?—A. I do not know what they did. I will tell you one thing they did. The people who belong to this place found their own gear and everything, and the Newfoundlanders came over here and the packer found them gear and everything, and the packer only gives me 25 cents more than the Newfoundlander.

Mr. JOSHUA STICKLAND.—Last year you got \$3.75 and the Newfoundlanders only got \$2.

A. Yes, and the Newfoundlanders had all their gear found and their grub, too.

Q. I suppose you have so many friends in Newfoundland that they come over to see you?—A. I do not know about that, maybe it would be better if they did not come to see us so often.

Q. How long have they been doing this?—A. Two years, something like that.

Q. What is the largest number of them that has ever come over here?—A. Five of them.

Q. How do they get over?—A. They come in the *Bruce*.

Q. And they hire out here as lobster fishermen?—A. Yes.

Q. How are they paid, by the month or by the catch?—A. By the catch.

Q. Where do they get their boats and traps?—A. From the packer.

Q. There is nothing to prevent any British subject, as far as I understand it, from coming here to fish. There is one way of overcoming that difficulty, and that would be by licensing the fishermen.—A. That is what should be done, give our own men a chance.

Q. It has been suggested that the best way to get our fishermen to obey the law especially with regard to the berried lobster, would be to license every fisherman; he need not necessarily be charged anything for the license, but the idea is that he would have to go to the inspector in the spring and get a little form with his number on it, and he would be registered, and the fishery officer would see, if the man violated the law, or if it were seen that he was in the habit of washing the lobsters and selling them to the factory, not putting them back in the water, his license would be cancelled and he would not be able to fish. It would be the same with the Newfoundlander, if they came over here and did that sort of thing they would not be given a license, or if it were deemed advisable to do so we could restrict the licenses to our own people, that is the only way I can see by which we could get over the difficulty. We can prevent an American or a French fisherman from fishing in our waters, but not the Newfoundlander because he is a British subject the same as we are.—A. Something should be done anyway.

Q. Now as to the matter of preserving the lobster industry, do you think the fishing is falling off?—A. I do not know I am sure.

Q. What do you think when you have bad seasons, when you find that you do not get as good a run of lobsters as usual do you think there is some cause for it?—A. Yes, the storms.

Q. What do you think about these various remedies that have been proposed?—What about this proposal to shut down for a number of years in order to give the

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lobsters an opportunity to grow and increase?—A. I guess it would be a very good idea.

Q. What could you do in the meantime, supposing there were no lobsters packed here, and no chance of shipping lobsters and you were not allowed to fish lobsters?—A. I would go to other fishing.

Q. Codfishing; would you do as well as codfishing as you do at the lobster fishery?—A. No, I would not do as well, but I would have to put up with it.

Q. You think you would do well enough to keep things together. What would you think of that as one of the remedies? Some people have suggested that it is, and no doubt it is, a very stringent one? (No answer).

Q. Another suggestion that was made by the last lobster commission that came around was that the lobster fishery be closed down by districts, closing down one district while fishing was allowed in the other portions of the coast, and then moving around until all parts of the coast had been covered by a close season?—A. I do not know about that.

Q. Others again say, 'Do away with the size limit, it never has been enforced and you may as well do away with it altogether, and shorten the season by a few days to make up for that.' Which of these remedies do you think would be the most reasonable one, and the one which would cripple the fishermen the least? (No answer).

Q. What do you think of the proposition to shut down altogether for a number of years?—A. I think that would be a pretty good thing.

Q. You think that is the best way?—A. Yes.

Q. As I have explained another suggestion is to shut down by sections, and still another is to do away with the size limit, not to enforce the size limit, but to make it legal to catch the short lobster and to shorten the season by ten days or so always protecting the berried lobster very rigidly. Do you think that would be less hurtful to the fishermen in the meantime?—A. Perhaps it would.

Q. Do you think that shortening the season and protecting the berried lobster without a size limit would improve the industry in a few years? The idea is to protect the lobster industry without hurting the fishermen too much. All over the coast the lobster fishery is the principal cash fishery. You think the best thing would be to shut down at once?—A. Yes.

Q. And you think that you could get along with the cod, the herring or the mackerel fishery, or at something else in the meantime?—A. Yes.

Q. What do you think of this proposed method of issuing new licenses to can to a group of fishermen? The limit has been fixed at 15, but it need not necessarily be as high as that. Do you think they should be given a license to can on their own account?—A. That is the best thing you could do.

Q. You think it would be?—A. No doubt it would.

Q. As a fisherman have you ever discussed that matter with other fishermen or thought of canning for yourself?—A. Yes, I have heard lots of them talking about it.

By Mr. McKenzie, M.P.:

Q. On that question of grouping the fishermen together to pack, would you say that the number of 15, which is the regulation now, is too large?—A. It is too large, yes.

Q. You think it is a little too clumsy to require so many?—A. Yes.

Q. How many would you say would be the minimum number of men to whom a license should issue?—A. Five would be a lot better.

Q. You think it should be 5; of course 15 in your judgment is too high, and you say it should go down as low as 5?—A. Yes.

Q. You think that if 15 men wanted to come together there should be no objection to their getting a license, but it should be so arranged that any number down to 5 could get a license?—A. Yes.

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Q. I think myself, and I have always said to the Minister, that 15 was too high.—A. Yes, I think so.

Q. This is something new to me, this matter of competition of which you complain, outsiders coming in here to fish; I never heard of that before. As I understand it from you the local fisherman who have been many years here has to furnish all his own gear, find his own boat, and if he loses it he is losing his own property.—A. That is how it is, he has to furnish his own boat, gear, rope and everything.

Q. Now the man who comes in here and competes with you in the catching of lobsters gets his gear from the packer, is that the way it is?—A. Yes.

Q. How many of these men were engaged here this season, can you tell me?—A. There were about five here.

Q. There were five fishermen who got their gear from the packer. On what terms do they get the gear from the packer do you know? What do they have to do before they get it?—A. I cannot tell you that, but he gets the gear made for them.

Q. Supposing this gear and boat gets lost, is it the loss of the packer or is it the loss of the fisherman? If he has anything coming to him is it kept out of his earnings?—A. It is the loss of the packer.

Q. The fisherman does not lose anything?—A. No.

Q. How is the fisherman who is fishing with the gear of the packer paid? What does he get for his fish as compared with the man who fishes his own gear? In the last year if you had come in with 100 pounds of lobsters you would get \$2.25 and the man who was handling the gear of the packer, what would he get for the same quantity of lobsters, from the same packer, this last season?—A. Well, this summer the fishermen belonging to this place found their own gear and everything and got \$2.25 and the outsiders from Newfoundland were getting \$2, and they were found in everything; they only got 25 cents less and the packer found everything.

Q. And that was the only difference was it?—A. Yes.

Q. And of that you complained?—A. Everybody complained.

Q. Besides the suggestion to compel the fisherman to take out a license, and that the license be only grantable to residents of Canada, is there any other way you can think of for preventing the competition against our own fishermen of which you complain?—A. I do not know.

The COMMISSIONER.—I do not know whether it might be made conditional on the issuing of the license to the canner that he should not employ foreign help.

Q. Is this the only season you have had competition of that kind?—A. No.

Q. How many were here last year working on that scale?—A. Three.

By the Commissioner:

Q. Was last year the first year they were here?—A. No.

Q. They were here the year before that were they?—A. Yes.

Q. How long have they been coming here?—A. Three years I think.

Q. They have been coming here three years?—A. I think so.

By Mr. McKenzie, M.P.

Q. What would you think of the idea of having an officer of the Department whose duty it would be to enquire into conditions in respect to the prices between the packer and the fisherman?—A. I do not know, sir.

Q. Perhaps you do not understand what I mean. Supposing now you had a case like that which occurred this spring when the price went down very rapidly from \$3.25 to \$2, as you were offered at first, I think, and \$2.25 afterwards, and the fishermen were not satisfied with that condition, and the fishermen wanted to know why the price was cut down. Would it not be well in that case if you could call in an officer of the department who would sit down and inquire into the matter, who would have power to make the packer produce his books and give evidence to show why he was

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cutting down his price, or to hear the evidence of the fishermen why they thought the price should be better? Do you think it would be wise to have some one in authority such as Mr. Morrison, the inspector, who you could call in to see whether the price offered was a proper one? Would it not be a safeguard to the fisherman?—A. Very likely.

Q. Undoubtedly there is nobody who has any authority to make such an inquiry at present, and it was suggested by some fishermen at Little Bras d'Or yesterday that there should be such a man appointed; what do you think?—A. I guess it would be all right.

Q. He might also have power to inquire into a difficulty such as you suggest about the fishermen coming here to fish this gear that does not belong to them?—A. Somebody should have power to look into that matter.

Witness discharged.

JOSHUA STICKLAND, packer, Neil's Harbour, C.B., called and sworn:—

By the Commissioner:

Q. Are you from Newfoundland?—A. Yes.

Q. I see you have a great many Newfoundlanders here?—A. They are all Newfoundlanders here mostly.

Q. What is your present employment, you have charge of the cannery here?—A. Yes.

Q. Who does the cannery belong to?—A. Mr. Buchanan.

Q. How long have you had charge of the cannery?—A. Nine years.

Q. Did you ever have charge of one before?—A. Yes.

Q. In what part of the world?—A. Newfoundland.

Q. In what part of Newfoundland?—A. On the west coast, Isle Moine, six miles below Port au Basque.

Q. What are their methods over there, pretty much the same as they are here?—A. Pretty much the same.

Q. What number of boats are fishing for you in this cannery?—A. About 12, I think, this summer.

Q. Are they generally single-handed or are they double-handed boats?—A. They are all single-handed boats.

Q. What number of cases did you pack this year?—A. 122.

Q. With how many boats, do you say?—A. 12.

Q. That is a pretty small catch?—A. Yes, it is.

Q. What should be the pack per boat generally? Have you any idea. We find in a good many cases they tell us their boats should give them from 50 to 60?—A. We had 18 boats at the beginning of the season, but they dropped off when it got rough.

Q. Last year how many boats had you?—A. I think it was 17, but I can soon find out.

Q. What was your pack last year?—A. 205 cases.

Q. And the year before?—A. 180.

Q. Was last year your best year?—A. Last year was the best year.

Q. What was that due to, had you a fine season?—A. Good weather; we never missed a day.

Q. Have you ever kept account of the fishing days; how many days in the season do your boats fish? At the Magdalen Islands they say their boats do not average more than 35 days' fishing?—A. It is about the same here, I think.

Q. How do the lobsters run now compared with what they did when you first began catching here?—A. With regard to the size?

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Q. The size, quantity and everything else?—A. The size is about the same I do not see much difference.

Q. Then will there be any difference in the quantity? Have you to fish more boats and gear to get the same quantity?—A. Oh, no.

Q. Then the fishery is about the same as when you commenced here?—A. It depends upon the weather, when it is good you get more lobsters.

Q. How have the regulations been observed here? Do you pay any attention to them at all, or are they ignored? With regard to the small lobster, how small down will you can them?—A. As small as we can get them, if they are not too small.

Q. Do you can them down to 4 inches?—A. No, down to 6 inches.

Q. Have you any idea how many lobsters it will take to fill a pound can?—A. I guess it will take 10 or 12.

Q. I suppose it will, because it takes 9 of the 7-inch lobsters?—A. Yes, it will take 10 or 12.

Q. Supposing the 8-inch size limit were strictly enforced, how would it affect you at your cannery?—A. We would give it up altogether.

Q. You would have to, you could not get enough to keep you going?—A. The fisherman would not fish and the canner would not pack.

Q. What has been your practice with regard to the berried lobster?—A. Throw them overboard.

Q. You never take them at the factory?—A. Yes, one or two years we did; of course some of them would clean them, they would blind you that way, and we would not know it before they were boiled, we would not take them if we knew it because they are no good for anything.

Q. A lobster stripped that way is no good?—A. It kills them right away, and as soon as they are dead they are no good.

Q. How do they generally strip them, scraping them in the water?—A. Yes.

Q. Did you ever try to strip them off yourself?—A. Yes, I have done that in Newfoundland, we have done that in the factory where we were stripping them for the hatchery.

Q. What do you put up here mostly, what style of tin?—A. Half pound, and half pound flat.

Q. You do not put up any quarter pound?—A. No, sir.

Q. Where, in your estimation, is the proper place to cull out the berried lobster, at the fisherman's boat or after she is brought to the shore?—A. No, when we get them in the traps, sling them overboard.

Q. You have fished lobsters yourself have you?—A. I fished for a year.

Q. What percentage of berried lobsters do you find?—A. I do not think I have seen a dozen altogether this summer.

Q. So that it would not be anything serious, or a heart-breaking matter, for the fishermen to put them back in the water?—A. No, there were none this year, I did not see a dozen, and as a matter of fact I did not hear of any of the fishermen getting them.

Q. As to this matter of licensing the canneries, what is your opinion about it? You know we had a great many more canneries at one time than we have now, and the number is falling off, and in recent years the Department will not renew the licenses of any one failing to carry for a year or two, and no new licenses have been granted to large packers especially. The only new licenses that have been granted are the co-operative licenses where a number of fishermen, the limit has been fixed at 15, have grouped themselves together and have said that they wanted to can on their own account; these have been given a license to can. What is your opinion?—A. They can use their own method. I would not choose 15, or 2. I had one partner and we could not live out the season.

Q. Why not? Could you not agree?—A. That is one thing, they would not agree; one would be getting a little more than another, and then they would disagree. If I

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could not have the factory to myself I would have nothing to do with it. I did join in with two or three and we could not get along.

Q. Do you think it is reasonable to keep down the number of canneries?—A. I do not trouble about it, if a man can do better at canning lobsters, let him do so, he is welcome to it so far as I am concerned.

Q. Speaking of the fisherman generally, would he make more money canning than he would by fishing?—A. I do not know, it is for each man to consider for himself; all hands can pack if they want to as far as I am concerned.

Q. Have you any idea yourself what you could do best at in the long run?—A. I know I can do better to take my own traps and fish than to join with five other men. I could not live that way. I had two partners and I gave up fishing and canning with two partners.

Q. What number of cases did you pack?—A. We packed 75 and 90 cases.

Q. What was the real cause of the trouble, that you did not agree about the division of the spoils?—A. We could agree all right.

Q. You did agree?—A. Yes, we had an agreement to work with, but you see that with what was made in the factory there was no profit out of it and you could not live on it.

Q. You could not make as much profit out of one factory with such a small number fishing?—A. No.

Q. What did you get per case in those days?—A. \$10. We got our own lobsters and paid \$1 per hundred and found everything.

Q. And you could not make ends meet at that because of the labour in packing?—A. Yes, I could not do that. Two families could not live on what was made out of that factory; I could not make ends meet, I know that one year I sunk \$10.

Q. What would you say are the average earnings of a lobster fisherman supplying his own gear and fishing actively, two fishermen about two and a half months?—A. It was about two and a half months last year which was the longest year, before that we fished about two months.

Q. What would that fisherman make?—A. For good fishermen—I think last year I paid off some of them with \$545 to two.

Q. Which was divided between them?—A. It was divided between them, that was the best. I fished myself last year and I made \$200, single handed, I had a boy with me that used to work in the factory, but I worked my own boat and made that.

Q. Do you think if it was decided to give every man that applied for it a license to pack lobsters, that we should insist on the cannery being up to a certain standard, that it should be fitted in a certain way? You know that if the Department decided to give everybody a license it would be necessary to have some restriction, to see that the man had a certain amount of capital and was competent to pack; it would not do for everybody to pack and throw bad material on the market; that would ruin every one individually. Do you think we should insist on a standard cannery, and require that the tables must be covered in a certain way, and that the place must be kept clean and so forth?—A. In Newfoundland in those days they put a little tag on every can identifying the packer, and whoever packed bad lobsters it was sent back to him, but there was nothing like that; every one packed the same.

Q. How do they do about licenses there?—A. They can all get licenses there.

Q. But you must have a license to pack?—A. Oh, you cannot pack without a license.

Q. Do you give every one a license?—A. Everyone has a license.

Q. There must be some pretty small canneries?—A. They caught their own lobsters in those days, but they have knocked off, they could not make a living at it.

Q. Did you ever have anything to do with sending lobsters alive to the market?—A. No.

Q. Neither here or in Newfoundland?—A. Yes, I have sold them alive and they were shipped I suppose.

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Q. What were they worth?—A. Four dollars a hundred, but they had to be alive and in good order.

Q. And they must be perfect, they must not be minus the claws or anything of that kind?—A. Yes, they all had to be good ones.

Q. Do you think the canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen? Some canners complain to us that if they do not take them their fishermen would go away and sell to the other canners.—A. I do take small ones, but I would not take the berried lobsters at all.

Q. As to the various suggestions that have been made for regulating the fishery and protecting it, what do you think of this plan of shutting down altogether for a number of years?—A. I do not know that we could do it. If there were \$8,000 or \$9,000 a year cut out of this place, all our people would feel it pretty bad. If there was that amount cut out here some years, in fact I do not know how you could do it. I suppose I could live because I could go fishing, but I do not know how some would get along.

Q. Do you think that the other branch of the fisheries would make up for it completely?—A. I do not know.

Q. It would not to some?—A. No, I cannot see how it would work if the lobster fishery were cut off in this place.

Q. Well then what about that plan of closing down by sections and moving around?—A. That is just as bad.

Q. What do you think of the other proposition to do away with the size limit and shorten the season a little?—A. If the season is shortened, we have knocked off about 20th of July every year.

Q. You do not can after that?—A. No, it is closed up mostly every year about that time.

Q. What do you think about the proposition to have the size limit at 7 inches and enforce it strictly. Some people say put it at 7 inches and we will live up to it and there will be no more trouble?—A. I do not think that would work.

Q. You think it would be as hard to enforce the 7-inch size limit as it has been to enforce the 8-inch size limit?—A. Yes.

Q. Which of all the plans, do you think is the most reasonable, and the one most likely to work out for the protection of the fishery? All these regulations are made with the idea of bringing the fishery back to where it was originally. They tell us that if we do away with the size limit, we might perhaps regulate the size of the opening between the slats so that it would not be less than an inch—in some places we find that it is only half an inch, and in some places they are canning very small lobsters, 13 and 14 to the pound tin, and you have to have the slats very close together in order to hold these small fellows?—A. I always find where there are small openings that is where the small lobsters come in.

Q. Do you not think he will get out that way?—A. Some will and others will not.

Q. Do you not think when you are raising the trap that he would try to get out?—A. Yes.

Q. Do the big lobsters drive the little ones out of the trap?—A. I do not think.

Q. What would you think of going back to the old season that we used to have years ago here? We used to fish from the 1st of January to the 15th of July, I think, that is to fish when the ice leaves you?—A. Yes, it never leaves us before the 1st of May.

Q. So that the date of the beginning of the season does not make any difference?—A. No.

Q. How would it do, do you think, to go back to the old date from the 1st of January to the 15th of July? You see we used to fish on those dates and we had a 9-inch limit in the beginning, then it gradually got smaller, and the dates were changed at the suggestion of different canners that came around.—A. It would be no good to us around here, May is early enough for us.

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Q. What do you think about fall fishing?—A. Well, September would be a good month for us, about the best month we could get.

Q. Do you think the fishermen would give up the other fishing and take to the lobster fishing again?—A. Some would and some would not.

Q. How would it affect you as a canner? Do you think by putting fish into the market that were canned late in the season it would upset the market? They tell us in some places that it would and they would not know where they were at if there was a fall pack coming in as well as a spring pack?—A. I do not know, in the straits, at Newfoundland they pack there in the fall they are taking in the fish and putting them up there.

Q. They are beginning to talk of cutting off the fall fishing there, they are being fished out rapidly. Now how is it that the Newfoundland fishermen came to be employed here? This is the first place that we have struck that?—A. Oh, well, perhaps the packers never had hardly enough men, and they had a big shipment to make and did not get lobsters enough to keep the factory going right through, and they thought if they could get a few more boats they would do better. The fishermen from Newfoundland I put up in a place where the men from here never went so that they never interfered with any one who was fishing here. Of course I am satisfied to have no Newfoundlander at all if I can get enough lobsters without.

Q. That is the way it happened, you were not getting all the fish you could handle?—A. No, we were not, and there was a spare place up above and I put a few men there.

Q. What do you think yourself about the price paid the fishermen for their lobsters? Do you think the fishermen are getting a fair share of the profit made in the lobster industry?—A. This year if I had had to pay any more than \$2.25 I would have given up.

Q. That is what some canners did in some places?—A. They had to do so, I paid \$3.75 last year and I could afford to do so because I got the price on the market.

Q. And did you go as high as \$4 the year before?—A. I did, another man came around here and I paid that, that was just through enemies, but it would have been better for me to have taken my boats and gone and fished that year. I cleared \$80 when I cleaned up, and if I had taken my traps and fished I would have made \$200.

Q. And you had the whole responsibility of running the factory and you cleared \$80?—A. And I paid some of my fishermen \$200; I can show my books and accounts for that. Last year was a good year for the fishermen. Last year I gave these men around here \$4 and the Newfoundlanders got \$2.

Mr. GEORGE GILES.—I have to stand the loss of my gear but the Newfoundlanders have no loss to stand.

A. Last year the Newfoundlander got \$2, and he says, 'I will come next year for the same as last year,' and I agreed to give it to them. I bargained with these men last fall to come here and work for me this year, at the same price, and at that time we did not know what we were going to get for our pack. Now last year we lost no traps, this year we lost all.

Q. Is there any fish canning or any fishing done here at all after the close of the season?—A. No, there are none ever caught here at that time.

Q. Are there any places here where pounds could be established? One of the modern methods of taking care of the berried lobster is to bring her in, pay for her, and put her in a pound?—A. I think the best way is to put them overboard.

Q. There is no doubt about that, but we cannot be sure that is being done. Do you think there are no places around here where pounds can be established?—A. I do not think so.

Q. What wages do you pay a sealer here?—A. \$30 a month and found.

Q. And what wages do you pay to the other parties?—A. Six cents an hour for the hours they work.

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Q. How many hours work a day do they have generally?—A. That is according to the pack of the lobsters.

Q. If there is a rush of lobsters?—A. They work all day.

Q. And if there are very few lobsters they only work short hours?—A. That is the way it works out.

By Mr. McKenzie, M.P.:

Q. I was going to ask when does a packer know the price he is going to get for his pack? Take for instance, this year. You have to be ready to begin packing soon after the 1st of May, and the season ends the last day of July, do you know before you begin packing what you are going to get for your pack?—A. Yes, we knew last year some time in March. This year we did not know before we got them half packed because the prices were so low we would not sell, and we held on until the very last.

Q. Do you sometimes sell in advance?—A. Oh, yes, we sell them every year before we get them, but this year we could not, we never sold until about the last month, the way it was the prices were so low we could not, and we tried to get five cents more.

Q. Last year you sold in advance before you commenced packing?—A. Yes, somewhere about March.

Q. You knew the price you were getting would enable you to give the fishermen \$3.75?—A. Yes.

Q. Did you try to place your pack this year like you did the year before?—A. Oh, yes.

Q. As a packer, can you account for the difference in the market? How do you explain that the price is so low this year compared with last year?—A. I do not know the reason, it fell last summer sometime about the middle of the summer.

Q. Where do you sell your pack here?—A. At Halifax. Of course the people think you could pay more this year than \$2.25, but I told them I would knock off if I had to pay more. I want to pay my way this year and I could not do it on 120 cases.

Q. Now, with regard to the outside men, I suppose that the resident fisherman has reason to complain that he has his home here, he pays taxes, church dues, and all that kind of thing that are a drain upon his money, and that the man who comes in here and pays nothing of that kind goes away with cash. I suppose that is the reason they give for getting better conditions than the man who comes from outside and who does not contribute to anything to the roadmaking or church money or anything of that kind?—A. He pays his rates when he is here long enough.

Q. But he would not be compelled to under our laws, if he were only here for the fishing season?—A. Yes, they did pay it last year, my men from outside paid it last year, they were here for three months.

Q. You are the only man that is packing here, and you had a little factory of your own at one time; would you mind telling me what it cost you and your partner to fit out so that you could pack?—A. It was not here, it was in Newfoundland.

Q. Supposing that five people were trying to get together and pack, what do you think it would cost them in this country to get an outfit to pack?—A. I could not tell you at all; some people give different prices for their traps, some say 50 cost them \$50.

Q. I mean the cost of your cannery. What would it cost to rig up a cannery just ready to work? If I was one of five fishermen, and we were going to start packing, and we had no provision at all for packing, I want to know how much it would cost the five of us to be in a position to pack our own catch taking everything that was necessary for the tables, etc.

Mr. BUCHANAN.—\$50 would do it outside of the building.

Q. What size building would you require for five or ten men?—A. About 30 by 15 would be required, with 6 or 7 foot posts. The material in that would not cost very much, but the labour of course would not count.

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Q. You have to suppose that you would hire men to put up the building.

By the Commissioner:

Q. A great many fishermen say: We would like to can on our own account.' And the department replies: 'Show us that you are able to begin and we will give you a license.' Now, what capital should a man have have to equip himself in order to begin canning.

Mr. BUCHANAN.—\$150 would start a man, that is he would have to add his labour to that.

A. Oh, yes, \$100 would do it for five men.

Witness discharged.

Commission adjourned.

BRITON COVE, C.B., 26th August, 1909.

JOHN MATHESON, fisherman, Briton Cove, C.B., called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishing?—A. You have asked a question I am not very well prepared to answer.

Q. How long since they started fishing here?—A. Perhaps Mr. McLeod would know better what time they started fishing here.

Q. Was it 20 years ago?—A. It may have been, I cannot say.

Mr. McLEOD.—I think it was '91. We began packing here in '90, and I think you were fishing here the year afterwards.—A. Yes.

Q. Do you do any other fishing besides lobster fishing?—A. Yes.

Q. What other fishing do you do?—A. Cod-fishing, herring-fishing, mackerel, anything I can catch.

Q. Do you own your own boat and gear?—A. Yes.

Q. Who do you sell your lobsters to?—A. Mr. McLeod here.

Q. Is that the only cannery here?—A. The only cannery I deal with.

Q. At what time in the spring of the year do you usually begin fishing?—A. Generally as early as we can, if I were at home, I could tell you the date.

Q. I do not want the exact date, I suppose it is the first or second week in May?—A. It was the second week before we got at it this spring.

Q. And at what time is it other years?—A. Some years it is later and some earlier, a couple of years ago it was June.

Q. What does the opening of the lobster fishing depend on?—A. Drift ice and the weather.

Q. What number of traps do you fish?—A. I fish 65 traps.

Q. On single lines or trawls?—A. On trawls.

Q. In what depth of water do you usually begin?—A. We begin generally in 5 fathoms and fish into 2 fathoms.

Q. But 5 fathoms is the outside limit?—A. Yes, sir.

Q. I suppose after fishing in that depth of water you generally shift?—A. Oh yes, occasionally. I set my traps farther out in the early part of the season, and move them in as the weather gets fine.

Q. That is the general rule with all the fishermen here, is it?—A. As far as I know.

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Q. What is the best period of your fishing, when do you do the best?—A. At the beginning of the season, when we first start in.

Q. You do best for the first few weeks?—A. For the first few weeks, when we start in.

Q. How do you find the fish run? Do you get a better line of fish at that season than you do later on?—A. Sometimes, it depends on the weather.

Q. What is your experience, one season with the other, generally?—A. I will just tell you, as far as my experience goes, we get a good line at first, and then they will slack off a little, and perhaps another school will come in again, pretty much the same size of lobster, until very late in the season, if we get a chance to fish late, but it is seldom we do. This season we had to close up by the bad weather sometime about the 1st of July, the storms broke up all our gear.

Q. What percentage of loss do you generally meet with, one year with the other? What do you reckon on?—A. I haven't made a reckoning of the percentage of loss; of course this year was an exceptional one, we lost the whole of our gear, I might say.

Q. Would you venture to say that one year with another you lose one-third of your gear?—A. Yes, I think so.

Q. Do you reckon on that?—A. Yes.

Q. Tell me as to the fishing, how is the fishing now compared with what it was when you began?—A. Well, at the time we began first, we were not prepared with as good gear as we are now, and we were not so anxious because the price was pretty low, and we depended more on other fishing then, than we do now. But the last couple of years we did fine, because we had better gear and attended to it better.

Q. How do the fish compare?—A. Are they as large now as they were when you began first? Is the average as good?—A. I do not know that they are, nor that they average as large.

Q. What are the regulations here. What time do you begin fishing, and what time do you close?—A. The regulation is that we should begin fishing on the first day of May and close on the last of July.

Q. What are the regulations as to the size limit, berried lobsters and those things?—A. The regulation as to the berried lobsters is that we are to throw them overboard and the size limit is supposed to be 9 inches.

Q. It is 8 inches, I think, here.—A. Eight inches? Perhaps so, I am not sure.

Q. What proportion of the total catch would be below eight inches? We understand that that particular regulation has not been enforced anyway.—A. That is something I cannot very well tell you on the spur of the moment, without I get time to consider.

Q. Well, the time is short, you intimated that you could only give me a quarter of an hour?—A. I remember one man, the first year I commenced to fish, we were selling by count and we used to catch small lobsters, and the packer that I fished for, I fished for one packer for one year before I fished for Mr. McLeod here, his name was Sully, and he used to take two small lobsters for one, but there would not be many that he would have to count that way.

Q. Is the percentage of small lobsters greater now, are there more now, and if you were tied up strictly to the 8-inch limit now, how would you get along?—A. In my section, where I am, there would not be very many.

Q. Not many under eight inches?—A. No.

Q. So that if the law were strictly enforced it would not affect you?—A. It would not affect me, but there are other places on the coast it would affect more than me.

Q. As to the berried lobsters, what is the practice?—A. A. As a rule, as far as I know, I know it was the rule with me, to put them overboard.

Q. You have always done so?—A. Not always, not when I started in at first.

Q. But you have not taken them in recent years?—A. Not in recent years.

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Q. You have not taken them within how many years?—A. I would say within ten or twelve years, not since the law was enforced.

Q. Is it the general practice among fishermen here to return the berried lobsters to the water?—A. I cannot tell you about anything except my own boat; I can only speak with regard to the man in one boat, and I know that he throws them overboard.

Q. Is there a Fishermen's Union here?—A. No, sir.

Q. Are you fishing more gear here than you did when you began?—A. Oh, yes.

Q. Do you think it takes more gear now to take the same quantity of fish?—A. We have better gear.

Q. You have an improved trap?—A. An improved trap.

Q. What trap do you fish now?—A. What they call the jail or parlour trap.

Q. What advantage has that style of trap over the old double ender that you used to fish?—A. The advantage is that the fish cannot get out, they hold the lobsters better.

Q. Do you allow the same space between the slats as you used to when first building traps?—A. Oh, yes, the same space.

Q. What will that space amount to?—A. Pretty nearly the width of the lath.

Q. The width of the lath is $1\frac{1}{4}$ inch?—A. Yes, but we haven't more than about one inch space.

Q. What about the price paid for the lobsters, who fixes the price?—A. The packers.

Q. What price did you receive this year?—A. \$2.25 per cwt.

Q. And last year?—A. We received \$3.75 last year.

Q. And what did you receive the year before?—A. I really do not remember.

Q. Are you satisfied with the price generally?—A. Well, yes.

Q. There are no complaints here on the part of the fishermen?—A. Not as far as I know, not on my part, because we know we are dealing with a square, honest man and that he will give us anything he can afford to give, and what he cannot afford to give us no reasonable man would ask.

Q. What do you think, do the female lobsters come into shore to spawn?—A. I do not know, I hardly think so, because there was a time when I used to get lobsters in deep water when cod fishing, and I used to see spawned lobsters when cod fishing.

Q. At all seasons of the year?—A. I do not know about the seasons, I did not pay particular attention to that at the time.

Q. Do you frequently find lobsters when cod fishing?—A. Oh, yes.

Q. You would recognize, in fishing lobsters, that the eggs are riper at one season of the year than at another?—A. I do not know that they are—well, they may be riper with one lobster and with another they would not.

Q. Then you do not think there is any definite spawning season for the lobsters?—A. I do not think so.

Q. What is your experience of the lobsters with berries on, are they good sized lobsters? How small have you seen them with berries on?—A. I have not measured them, but I have seen spawn on pretty small lobsters.

Q. How small, three or four inches?—A. Oh, no, I have never seen a lobster as small as that.

Q. Why they can them that size in some places?—A. I do not think I have seen them.

Q. What proportion will the egg-bearing lobsters bear to the total catch? What number out of every hundred will be egg-bearing?—A. Some weeks, especially this summer, there would not be many, I do not think I saw a dozen all the season. Some years, however, they may be quite plentiful.

Q. Do you get more of them at one part of the season than at another?—A. No, I do not think so; they come in pretty early, just an odd one now and again all the time.

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Q. What is your idea about the best regulations to enforce? You know there are complaints that the lobsters are being exterminated gradually, and that they are running down, that the catch is getting poorer, what do you attribute that to?—A. To the fact that there are a great many of them caught.

Q. That is, you think it is due to over-fishing?—A. To over-fishing.

Q. You think there is too much gear in the water?—A. No matter where you go there are lobster traps everywhere along our coast.

Q. Do you think that the amount of gear ought to be limited?—A. It is pretty hard to limit the fisherman when he has to depend on it for his living.

Q. There have been various propositions made to the department with a view to remedying the existing state of affairs; some people have recommended closing down altogether for a few years, stopping lobster packing and fishing, what do you think of that?—A. I would not approve of that for this reason that quite a number of fishermen have a lot of gear on hand which would go to waste, and it would be an expensive thing afterwards to have to start in with new gear all at once.

Q. And it would deprive the community of considerable revenue at a time when there is not much other fishing going on?—A. Oh, yes.

Q. The Lobster Commission of 1898, I do not know whether they came here or not, recommended shutting off by sections, and giving all parts of the coast a close season in that way, shutting down, say, the Cape Breton coast this year, and another part of the coast next year and so on.—A. I saw that.

Q. How would that appeal to you?—A. I do not know, before I give my opinion on that I would like to have a little time to consider, I did not come here expecting to take the stand.

Witness discharged.

KENNETH A. MORRISON, fisherman, Wreck Cove, called and sworn:—

By the Commissioner:

Q. Do you fish from this place?—A. From Wreck Cove, about seven miles to the north.

Q. How long have you been engaged in the lobster fishing industry?—A. I might say for the last twelve years anyway, and perhaps a little further back.

Q. You have always fished from Wreck Cove?—A. From Wreck Cove.

Q. What is the condition of the fishing there compared with here, are the conditions about the same?—A. Not quite, there is some difference.

Q. In what way, do you fish in deeper water?—A. No, but we get more lobsters in the latter part of the season than they do here.

Q. When do you begin fishing, one year with the other? Of course we know it depends on the ice rather than the weather?—A. It depends on the ice, when the coast is clear and the weather is fine we begin.

Q. One year with the other when would that be?—A. About the middle of May, on the average, sometimes it begins on the 8th of May, and sometimes at the beginning of June.

Q. Then it is generally pretty well into May before you get fairly started?—A. Yes, I remember one year we began about the 8th of May.

Q. And it takes a man some days to get out his gear?—A. If everything is ready it does not take very long to get out the gear.

Q. How many traps do you fish?—A. Fifty traps sometimes.

Q. Do you fish them single handed?—A. Yes.

Q. Do you fish them on trawls or single lines?—A. Mostly on trawls, of course at the latter part of the season I think there are more single traps.

Q. You fish what they call the parlour trap, I suppose?—A. Yes.

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Q. You do not fish the diamond trap at Wreck Cove?—A. No, well, I do a few,

Q. In what depth of water do you put the traps out first?—A. Seven fathoms.

Q. How far off shore does that take you?—A. Not very far.

Q. Do you fish there all season, you do not move in?—A. I move in according to the weather.

Q. And, I suppose, 'according as the big lobsters pass in, you come in after them?—A. Yes, I follow them.

Q. When do you make the best fishing?—A. At the first part of the season and at the last part.

Q. It slacks off a little in the middle?—A. Yes.

Q. How do the lobsters run? Are they better in the first part of the season or at the end, or are they about the same all the way through?—A. I would say that about the first week they will be pretty fine lobsters and about the last part of the season they get good again.

Q. But they will not weigh as well in the beginning of the season as they do in the latter part?—A. Oh, yes.

Q. We have understood from the evidence at other places that they are not quite as full in the early part of the season as they are towards the end?—A. Oh, in the early part of the season they are pretty good.

Q. What percentage of the total catch of your lobsters would be under the regulation limit of 8 inches?—A. I could hardly say what the percentage is, but there are quite a lot under 8 inches.

Q. Does that percentage vary at different parts of the season?—A. Is it greater in the latter part of the season than early in the spring?—A. It is greater in the latter part of the season.

Q. When you are fishing in the shoalest water?—A. Yes.

Q. How would it affect you if the 8-inch size limit were strictly enforced, and all the small lobsters under 8 inches were put back in the water? I have been connected with the lobster fishery for 32 years, and we know that the size limit has not been observed?—A. I suppose not.

Q. In many places the fishermen say that if they had to throw back all the lobsters under 8 inches they would quit fishing, and the canners tell us that if they were compelled to refuse all under 8 inches they would have to shut down?—A. Oh, yes.

Q. What would you say, would the enforcing of that regulation put you out of business?—A. It is pretty hard to say, the poor man has a good deal to contend with, especially with the dog fish which are a great nuisance and put their other fishing out of business almost sometimes.

Q. What is your average catch?—A. 3,000 or 4,000 pounds, according to how the weather runs.

Q. Did you get that this year?—A. I did not, I got about 3,000 pounds, I think.

Q. And they were all paid for at the same rate to everybody here, \$2.25?—A. \$2.25 at first, and \$2.50 at the latter part of the season.

Q. There were no complaints about the price, everything is satisfactory?—A. Well, yes, it was a poor year, of course the fishermen thought they would get more this year, but they understand that the market was lower.

Q. And that was the season for the big drop in price?—A. Oh, yes.

Q. Do you fish cod?—A. Yes.

Q. And the same thing occurs in regard to that fishery, does it not? Some years the price is up and other years it is down?—A. Just the same.

Q. What number of fishermen fish out of Wreck Cove? How many boats fish lobsters out of that cove?—A. There are two coves and two canneries in Wreck Cove, one in each cove.

Q. Who are they owned by?—A. One is owned by D. L. and M. J. Morrison, and the other by John A. Robinson.

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Q. You deliver your lobsters up there, you do not bring them down here?—A. No.

Q. How are the lobsters generally delivered, do the smacks come around and take them there from the fishermen, or does every fisherman deliver his own lobsters?—A. Those who fish out of the cove bring their lobsters in, but the smacks come for those at a distance.

Q. What proportion of the total catch would you say are female lobsters with the eggs or berries on them?—A. That is pretty hard to say, because, while we are throwing out two or three spawn lobsters to-day we might not get any of them to-morrow, or we might get more to-morrow from the same traps.

Q. Did you ever mark them in order to see whether they travelled far?—A. Well, I did not, but I can tell just about, by the size and the looks of the lobsters, where they come from.

Q. Some men have marked them and found that they do not go very far as a rule.—A. I did not mark any.

Q. Did you ever shut a female lobster in a trap and keep her there to see when she spawned?—A. No, sir, I never did.

Q. Can you say whether the percentage of berried lobsters is large?—A. It is not very large.

Q. Would it be anything like one-half of the catch?—A. Oh no, the berried lobsters are not very many.

Q. They are generally large lobsters are they not?—A. They are good-sized lobsters.

Q. Did you ever remark as to their size, what is the smallest size you ever saw a lobster with eggs on?—A. I have never seen one smaller than 8 inches.

Q. I suppose all the fishermen in your neighbourhood own their own boats and gear?—A. Yes.

Q. What has been the practice in the past, as long as you have been connected with the fishery, with regard to berried lobsters? Of course one of the theories of those who try to explain the growing scarcity of the lobster is that too many berried lobsters have been destroyed?—A. Yes, that is so.

Q. That they have either been brought straight in and canned or else that the berries have been rubbed off them outside and wasted?—A. I can only speak for myself, and I know that the way that I used to do with them was to throw them overboard.

Q. I suppose that the percentage of berried lobsters is not so large that it would make a serious inroad on a fisherman's catch if he threw them overboard?—A. I do not think we would lose much, but the way I take it is this, I well believe that when the berried lobsters are thrown overboard that they keep coming there every year, and that they spawn over the same ground, so that keeps up the supply. That is my opinion and, therefore, I keep throwing them overboard.

Q. That is the right and wise thing to do because you gain by it in the end?—A. Yes, I gain by it in the end.

Q. Do you think that is the general practice here? Fishermen talk about these things and generally know what is best for them; of course if that is the general rule here your lobsters are pretty well protected.—A. I would not say that everyone does it.

Q. Who fixes the price for lobsters, do you know?—A. The packer.

Q. Has the fisherman no say in the matter at all?—A. Only he grumbles over it, I suppose, if he does not get enough, that is all. He has to put up with what he gets.

Q. What do you think with regard to the matter? Do you think that the fishermen would make more money if they were allowed to pack for themselves?—A. I believe they would, that is if they knew how to pack properly.

Q. Everything depends on that, of course. It requires some knowledge and training to go into work of that kind.—A. Of course there is a reason for that, there would not be so much expense on the fishermen as there is on the packer.

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Q. Have you any idea what it would cost to put up a cannery?—A. I could not say.

Q. You know the practice of the department has been to restrict the number of licenses, and that for a number of years back no new licenses have been granted?—A. Yes.

Q. With the idea, of course, that they were protecting and improving the fishery. The amount of gear, however, has not been restricted. The fishermen have complained in various sections that they are not getting a fair show in the matter, that if they were allowed to pack for themselves they would do better, so that within the last few years the Minister decided to issue what are called, 'co-operative' licenses. That is if a number of fishermen—15 is the number that has been fixed—declare their intention to co-operate in packing, they could get a license to can. Do you think that is a fair way out of the difficulty, that that gives the fishermen a show? Or do you think the number should be less than 15?—A. I think that is too many, it is pretty hard to get 15 men to agree.

Q. You think the number might safely be made smaller?—A. I do think so.

Q. Have you always fished the same style of traps that you have now?—A. No.

Q. You used to fish the old-fashioned double-ender?—A. Yes.

Q. You gave them up because the fish used to escape out of them when you did not fish regularly?—A. Yes.

Q. Do you allow the same space between the slats as you used to, or has it been narrowed down?—A. It is just about the same.

Q. About the width of a lath?—A. Yes, of course we do not measure it, just nail them on.

Q. Is it your opinion that the laths have been placed closer together with a view of holding the smaller lobster? Of course if the space is large the smaller run of lobsters will get in and out again?—A. Yes.

Q. What bait do you use here?—A. Herring.

Q. Is there much difference in your fishery here if you use old bait or fresh bait?—A. Fresh bait is better.

Q. Do you use mackerel gibbs or entrails?—A. No, sir, I have never used them.

Q. The gibbs they say are the best bait of all?—A. But it is hard to get here. The cod head is good bait sometimes.

Q. Do you think the female lobsters come in shoal water to spawn late in the season, or have you any idea in the matter?—A. No, I haven't any idea.

Q. You do not see any more egg-bearing lobsters ripe and ready to spawn towards the close of the season than at the beginning?—A. Not many.

Q. You could see whether the eggs were riper, could you not?—A. Yes.

Q. You could see the small hard berries sometimes?—A. Yes, and they are not the same colour.

Q. How do you think we should go to work to induce the fishermen to return the berried lobsters to the water? I suppose there isn't any question it should be done generally with a view to preserving the fishery?—A. It is pretty hard to throw your best lobsters away.

Q. That is what we want to get at if possible, that is the main secret, there is no doubt about it, preserving the berried lobsters and protecting them?—A. I do not know if the smacker would be the man. I think it is the smacker who takes the berried lobsters who could check it.

Q. He takes the berried lobsters?—A. When he takes all the lobsters if the smack-man were put in such a position that he would not take any of the berried lobsters it would be all right.

Q. That really means the canner, because it is the canner who sends the smacker out?—A. Yes, hence I would say that if the smacker was pretty sharp he could notice if berried lobsters were with the others, and he should be very strict about taking them.

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Q. Do you not think it is easier for the fishermen when taking them out of the trap to tell which is the berried lobster than it is for the canner or the smacker who is having a lot of them thrown in on him?—A. Yes, of course if the fishermen would do it that finishes it, but it is hard to get the fishermen to do so, that is every one.

Q. Some people have suggested that if you sent some one down to interview the fishermen and to explain to them the absolute necessity of saving the berried lobsters, that it is like killing the ewes and the lambs, you can't kill them both off and have a flock, and that it is to their interest in the end to save them, because they are the sufferers, do you think it is any use preaching a revival amongst them?—A. I believe there are some for whom revivals are no good, they would have their own opinions afterwards.

Q. They are case hardened?—A. Yes.

Q. Do you think it would be possible to establish such a thing as a pound here? There have been various ways of protecting the berried lobster suggested if the fishermen want to save them themselves; it has been suggested that they should bring them to somebody appointed for the purpose of collecting them, either to have the eggs stripped off them for hatching in the hatchery or for placing them in pounds where they would breed, and then be released at the close of the season. It is not, however, everywhere that the conditions exist which would make a pound practicable. You want not less than two fathoms of water, with a rocky bottom, pure salt water where the tide flows freely, so situated that you can place a bar across the mouth to prevent the lobsters escaping. Are there any spots in this neighbourhood of that character which would be available for a pound?—A. No, I do not suppose there are.

Q. Are there any hatcheries in this district? Have you ever heard of them?—A. Only what Mr. Baker has had.

Q. That is a pound, the hatchery is at Canso. Then there is nothing but to put them back in the water where they belong?—A. That is the best way.

Q. Are you aware of any fisherman having lost his catch of lobsters by reason of the packer having refused to receive them?—A. No.

Q. That has not occurred here anyway?—A. No.

Q. Now various propositions have been made for improving the condition of the fishery, among others, as you heard me say just now to the other witness, to shut down altogether, over the whole coast, for three or four years, in order to allow the lobsters to grow up again. The lobster is supposed to reach the length of 8 inches in three years from the time of its birth. How would shutting down universally affect the case do you think?—A. There would be a great change in this part of the country.

Q. There are parts of the country where the fishermen are depending more on the lobster fishing than you are here?—A. Perhaps there are, but that would not help this place any.

Q. You think that would be a pretty severe measure?—A. It would be very severe.

Q. The Lobster Commission of 1898 recommended closing down in sections until the whole coast had been given a close season, that is shutting down a province or a part of a province, and moving the close season around gradually until the lobsters in every part of the coast had been given a chance to grow up again. That would be a little easier than shutting down altogether?—A. Yes, it would be a little easier.

Q. Then some people have suggested that we do away with the size limit which has never been enforced, and which if it were enforced we are told would put everybody out of business in a few years, and also to strictly enforce the regulation against taking the berried lobster, at the same time shortening the present season ten days or a couple of weeks at the end. How would that appeal to you?—A. Well, I am of the opinion that our season is short enough already. That is, after we begin fishing, nominally on the first of May.

Q. You have to the end of July now?—A. That is long enough, but now when we do not get a fish until the middle of May we will not have a very long season at all, especially when we take into account the storms and everything of that kind.

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Q. The object of the proposed regulations is that if that were enforced for a few years it would mean that the lobsters would increase in numbers and be as numerous in the course of time as they were formerly, and the fishermen would, of course, make up for it later on. It is generally conceded that we have to do something or other. Which of all the propositions I have enumerated is the one that appeals to you as most likely to accomplish the end in view and, at the same time, be least hurtful to the fishermen?—A. It is pretty hard to say in a short time.

Q. Of course these are the matters that the committee want advice about from the fishermen themselves. The statements we are getting from the fishermen now will be printed and laid before the committee, and the members of that committee must say what they think is the best thing to do in the face of the evidence. Of course you will admit, I think, that it is useless to have a regulation on the statute book like that size limit which is not enforced, that does not mean anything, which everyone treats with contempt. It is better to wipe it out altogether if it is not enforced.—A. That is about the size of it.

Q. Yes, the size limit.—A. Well, that is a good sized lobster, 8 inches is a good sized lobster.

Q. Some people on the other hand say reduce the size to seven inches and enforce it. Do you think it would be any easier to enforce the 7-inch limit than it has been to enforce the 8-inch? It used to be 9 inches and that was not observed, and then they said: 'Give us an 8-inch limit and we will observe the law.' You know how that has worked out, it has never been observed or enforced, and I am afraid if we had a 7-inch limit in a short time it would be the same thing over again. I do not think there is any doubt that the last proposition, if it can be accomplished, is the least harmful to the fishermen, because there are other fisheries to which you could turn for the last ten days in the present season. In any event a number of the fishermen are dropping off at that period, some going back to their farms and others going to the cod fishing, and many of the canneries close down, so that it would not in the end be very severe for all the fishermen to stop fishing a little earlier than some of them now do. Of course I am not supposed to have any views in the matter, I am merely stating what suggestions have been made.—A. I cannot say about any other parts of the coast, but at our own place down here we got them as good at the last part of July as we did at the first part of the season; that was the case this year.

Q. There is another thing that has been under consideration, there is no doubt that the lobsters taken at the last part of July will contain a larger proportion of female lobsters with spawn on, and that they will spawn more quickly if left alone in the water; there is no doubt that the principal spawning season is between the 15th of July and the 15th of August, so that it is between those dates that the most serious damage is done to the lobster fishery by the taking of seed lobsters?—A. I see.

Q. Do you think there is any combination on the part of the canners in this neighbourhood to fix the price, or do they allow the foreman to fix his own price?—A. Well, I could not say, generally they are about the same price.

Q. As to hatcheries you tell me you have no experience of them, but would you favour the establishment of a hatchery if nothing else could be done?—A. Well, if we could not protect the seed lobster any other way.

Q. What about fall fishing, has that ever been tried here?—A. No.

Q. I suppose this is one of the localities where you could fish in the fall, you are protected from the westerly winds which usually prevail then?—A. Yes.

Q. You are more apt to have gales from the west in the fall than from the east, are you not?—A. Well, some years; some years it is bad enough, and other years it is better.

Q. Do you know anything about the live lobster trade? Has there ever been any attempt here to ship lobsters alive to the market?—A. No.

Q. You have always sold to the canner?—A. Yes.

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Q. There is no opportunity here to sell them alive?—A. We have no chance here to do that.

Q. Among other things which have been suggested to the department is the licensing of the fisherman, not the canner, but the fisherman. It has been proposed that the lobster fisherman should take out a license, there need not necessarily be any charge for it, but that he should go to the fishery officer before he began to fish lobsters and get a license. The idea is that if a fisherman had a license he would feel himself obliged to observe the law rigorously, whatever that law might be, and that he would be careful to watch that others did the same, and that none fished without a license. If it were known that a fisherman were violating the law regularly and persistently his license would be stopped and he would not be allowed to catch lobsters. What do you think about that? Do you think that having a form of license in his pocket would make the average fisherman more careful in observing the regulations?—A. I do not think so.

Q. Of course it would be one means of keeping out outsiders. In some places they complain about competition from outsiders and that is about the only way we could prevent that. It would also furnish a means of preventing anyone who was known to be persistently wiping the berries off or violating the law in any other way from continuing to fish. That is the idea with which the proposition was made. How do you think it would work?—A. I have not considered the matter. I would like very well to see the berried lobsters protected because that is the only means for keeping up the supply. Of course if everybody would get it into their heads that by letting the berried lobster go they are keeping up the supply and would act accordingly it would simplify matters, because if every berried lobster hatches out there will be no falling off in the fishery.

Q. Of course there will be some loss among the young lobsters, other fish devour them?—A. Yes, but there are such immense numbers of them.

Q. I forget the exact number, but I think a 15-inch lobster has 85,000 eggs?—A. Of course if all that number were hatched there would still be plenty left, even if other fish did feed upon them.

Q. Where they take the eggs carefully off the seed lobster and hatch them out in these glass jars in the hatcheries they have succeeded in hatching from 90 to 95 per cent?—A. That should keep up the lobster supply so that there will be plenty to meet the demand if the seed lobsters are all saved.

By Mr. McKenzie, M. P. :

Q. It was suggested to the Committee last winter, and a note is being made of it, that possibly it would be a way out of the difficulty to buy the berried lobster from the fisherman, and to arrange so that it would be put back in the water. One plan that was proposed was that the smackman would buy them from the fisherman who, when fishing his traps, would separate the berried lobster from the others, and would hand them over separately to the smackman, who would record the fisherman's name and the number of seed lobsters furnished by him, and that the government would make an allowance to pay for those seed lobsters. What do you think would be a fair allowance to make for each seed lobster delivered to the smackman by the fisherman? What would it be worth as a rule?—A. It just depends on what the price would be during the summer. Last year we had a good price for them, and this year it was away down below what it should be. I suppose it would depend on what the price was each summer.

Q. Taking a summer like this year, what do you say would be a fair allowance for the government to make for the seed lobster?—A. Well, the seed lobster is not worth any more than any other lobster to the fisherman.

Q. I do not suppose it is worth quite as much because he has no right to catch it?—A. No, that is the trouble.

Q. The idea is to encourage the liberation of the seed lobster so that there will be no temptation to rub the seed off, but that the fisherman would get something in

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order to preserve it, so that the smackman would be supposed to put it back in the water, or to take it to the pound or hatchery if there was one convenient.

By the Commissioner:

Q. Do you ever count your lobsters in order to see how many run to the hundred?

A. Yes, sir.

Q. How many are there?—A. In some weeks there is a fine catch of lobsters so that it will not take perhaps on an average more than 125 to make a hundred pounds, and at other times they run smaller than that.

Q. By that way you could establish an average for the hundred lobsters, by averaging them. Of course the berried lobster is generally a pretty good lobster?—

A. A pretty good lobster.

Q. How would you distinguish them? You would sell your lobsters to-day to the smackman, and he would put down your name and the number, or would pay you on the nail for them, or keep a record for every man of everything he caught, the time and the price?—A. That would be better for the fisherman if he could get the same price for it.

Q. It would be bad for the packer, I am afraid, because we would have to take it out of them. In some places, in the State of Connecticut, they do that sort of thing, they punch a small hole in the extreme end of the tail of the lobster, and, of course, any lobster found with the tail punched would not be paid for again. I do not know whether the fishermen would get punches for themselves?—A. If they did that part of the tail could be clipped off and then the fishermen would not be able to do that.

By Mr. McKenzie, M.P. :

Q. You are not troubled here with outside fishermen, as they are called?—A. No, sir, not as far as our place is concerned.

Q. We had quite a complaint yesterday at Neil's Harbour, about outside fishermen coming in there and fishing with the packer's gear in competition with the local fishermen who own their own gear. But you have no such trouble here, have you?—

A. No, sir, not so far as we are concerned, but this year I learned that fishermen from Nova Scotia were fishing down in this neighbourhood.

Q. That is the western section of the north shore?—A. Yes, and the people do not like it because they have enough gear in the water themselves.

Q. What cannery were these men fishing for?—A. I forget the name—Baxter Bros. at Bras d'Or.

Witness discharged.

RORY A. MACDONALD, smackman, Briton Cove, C.B., called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishing business?—A. I have been at it off and on for the last thirteen or fourteen years.

Q. Have you always fished on this shore?—A. Yes, sir.

Q. You live here at Briton Cove, do you?—A. Yes.

Q. You have fished lobsters?—A. I have fished lobsters for a couple of years.

Q. When was that?—A. In 1891 and 1892.

Q. From your knowledge in smacking how do you find the fishery compare to-day with what it was then? You have a good opportunity of seeing the run of lobsters and you know what takes place.—A. Well, I think I can say that this summer it has not been as good, but this last summer twelvemonth, I think they were almost as good as I ever saw them.

Q. On the whole, of course you have good and bad years, do you think the fishery has decreased, that it has failed? Is it taking a larger amount of gear, different and

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better gear to make the same catch as a man would make formerly?—A. I guess it does.

Q. When you used to fish first did you follow the same rule as they do now, fish early in the season in deep water and then move in?—A. Yes.

Q. The conditions are the same now in that respect?—A. Yes.

Q. And you say they get about the same run of lobsters?—A. About the same.

Q. Now with regard to handling the lobsters, how long have you been smacking?—A. I guess I have smacked four or five years, I have smacked for Mr. McLeod here.

Q. What has been the practice with regard to berried lobsters during your time of smacking?—A. The fishermen are supposed to let them go.

Q. Do you ever get them slipped in on you?—A. I suppose so, to tell you the truth it is pretty hard to avoid it; in spite of you there will be a berried lobster slipped in occasionally.

Q. That might happen by accident, of course?—A. No doubt about it.

Q. But if the object were to save the berried lobsters and to pick them out where is that most easily done? By the fishermen, by the smackman or at the cannery?—A. Well, the best place is at the cannery. It is pretty hard for the smackmen when the lobsters are thrown into the berth or cupboard, or wherever they are put, to see them all; but at the cannery there is every opportunity to examine them more carefully.

Q. And when they are once in there they are apt not to be discovered until they are boiled.—A. I believe the best way would be when the smackman is putting them into the barrel or landing them.

Q. Is the female lobster delicate, will she stand as much rough usage as the other lobsters? We understand where they are shipping lobsters alive that it will not do to ship the female lobster as she will not stand the handling, and if her eggs are torn off her she will not leave the crate alive when it reaches the market.—A. I have no idea.

Q. If you had a large number of lobsters in the boat and had to carry them some distance from where you got them to the cannery would you expect the berried lobster to die before the other?—A. I have no idea whether she would or not.

Q. You have never noticed?—A. I have never noticed that.

Q. When you were fishing, what was the practice with regard to the berried lobster?—A. They were liberated.

Q. What was the size limit then?—A. Nine inches.

Q. Was the law more strictly enforced then than it is now?—A. I suppose it was about the same.

Q. Do you think it was not more strictly enforced? It is generally understood that when the regulations were first imposed the fishermen observed them more closely; there was not the same disposition to escape the regulation then that there is now. The cannery did not want the small lobsters as they were buying by count. What was the reason of the change from buying by count to weight? Was it not that the lobsters were running smaller, or what was it?—A. I suppose it was.

Q. And that they had to take two for one?—A. I guess so.

Q. How far do you smack your lobsters?—A. Five miles one way and four the other.

Q. You go every day when you can?—A. Yes.

Q. How long, as a rule do you take in making your rounds?—A. Going one way it will take us a half day, of course it used to take us more than that, but we have an excellent boat now and we can do it more regularly.

Q. Are many lobsters lost by you, do many die between the time you take them from the boat and the time you deliver them to the factory?—A. No, not many.

Q. What is your opinion, would the fishermen make more money if they were allowed to pack for themselves than they do under the present conditions?—A. In my opinion I do not suppose they would.

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Q. It requires a certain amount of knowledge of business and some capital?—A. Yes.

Q. Have you any knowledge of what it costs to fit out a fairly good cannery? You want a building, boilers, table and an outfit and a good many things? What capital would a fisherman or a group of fishermen require to establish such a cannery as they might be expected to operate?—A. I suppose they would need in the start about \$400 or \$500, for the building and for the cannery itself.

Q. For the outfit? In some places you know there has been a good deal of trouble between fishermen and canners, and it has been supposed by the fishermen that they were not getting a fair price for their lobsters; there has been a lot of wrangling and the department decided to allow a group of fishermen—there must be 15 at least—to apply for a license and can on their own hook. Do you think that idea is a good one? Does it remedy the difficulty that stood in the fishermen's way?—A. Well, it is very hard for me to say anything on that question. We have never had any difficulty here between the fishermen and the canners.

Q. Where they have had difficulty is not that the best way, to say to the fishermen: 'If you will group together and put up a cannery the department will give you a license?'—A. I suppose if there was a difficulty it would be all right to do that.

Q. What do you think about the number, is 15 too large or large enough?—A. I should think it was quite large enough.

Q. Are the fishermen generally using more traps than they used to, or using more gear?—A. I think the individual fisherman is using about the same, but I believe there are more fishermen at it and more traps in the water.

Q. When you began fishing did the fisherman supply his own gear or did the canner supply it?—A. No, he did not; the canner supplied it.

Q. And now it has got to be entirely the fishermen's business?—A. Yes.

Q. Are there many fishermen here who are outfitted by the canners, or do they all own their own gear?—A. They all own their own gear.

Q. What do you think of the price paid, is it a fair price as far as the condition of the markets will allow?—A. I think it is.

Q. Do you fish cod when you knock off?—A. No.

Q. You only do smacking?—A. Yes.

Q. Do the fishermen expect the canners to take everything they catch?—A. I do not suppose.

Q. They do not? What would happen if the canner refused to accept undersized lobsters; that is, lobsters under 8 inches?—A. I suppose the fishermen would have to be content with it.

Q. You think they would have to be satisfied?—A. I suppose so.

Q. How do you think it would affect them? What percentage of the fish you bring in are under 8 inches?—A. That I cannot say.

Q. Is it a large percentage?—A. I guess it is; this year anyway there was a pretty large percentage. They were all telling me that this year.

Q. Is it so large that if the 8-inch limit were enforced it would shut up the cannery?—A. It would affect it a great deal.

Q. Have you ever remarked yourself as to this matter of berried lobsters? What is the smallest sized berried lobster you ever saw?—A. I have never measured them, but I think I have seen them as small as between 8 and 9 inches, down to 8 inches.

Q. As a rule, though, they are pretty decent lobsters?—A. I do not recollect ever having seen seed lobsters smaller than that. Of course I might have seen them.

Q. They have been seen down to 7 inches, but that, of course, is very, very rare. What do you think is the right way to deal with those berried lobsters; what should be done with them? That is the root of the whole question, is it not?—A. Yes, of course it is. In my opinion the way we are situated here we cannot have a pound or anything like that, and I think that if the law were strictly enforced and if the fisherman would liberate all his seed lobsters I think that would be the only and best way, so far as this place is concerned.

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Q. Do you think it is an unfair thing, seeing that the fisherman himself is the one who benefits by the fishery, do you think it is unfair to expect him to do that?—

A. To liberate the seed lobsters?

Q. Is it not right to expect him to do so?—A. I should expect so.

Q. Would it mean a very serious loss to each fisherman if he put those seed lobsters back in the water for a few years?—A. I do not suppose it would.

Q. Do you think that at the end of three years—at three years we think that the lobster has reached the full limit of 8 inches—do you think the fisherman would see the good of it at the end of three years?—A. I would think so.

By Mr. McKenzie, M.P.:

Q. That is one of the propositions that has been made to us. Do you think that it would detain the smackman very much to take the seed lobsters if the arrangement were made that he would be buying them separately from the fishermen?—A. And the smackman to liberate them again?

Q. He would receive them or count them, and if there were a place where there could be a pound he would take them along and deliver them to be deposited in the pound. Would it take very much time if that were done, if the fishermen had them all ready for the smackman in a separate place?—A. Oh, no, it would not take much time, and he could have a separate place in his smack for the seed lobsters.

Q. He would, of course, have to enter in his book the number he took from each man, and at the end of the season each fisherman would be reckoned with for all the seed lobsters that he delivered. Do you think that could be carried out by the smackman?—A. In a place like this where we have no pound or hatchery what would be done with the seed lobsters that are collected right here?

Q. Where you have no pound would the smackman immediately liberate them the moment he took a record of them?—A. I think some years ago they were collecting seed lobsters here, I think it was Baker, and they were taking them from here, they made a couple of trips and the fishermen were kicking because they were not liberated in these waters where they were taken.

By the Commissioner:

Q. It has been suggested that down in the State of Connecticut when the smackman goes around, the fishermen bring him the berried lobsters they have caught, and he gives them a check for them, he has a little book with a slip or form and counter foil, and after giving the fisherman the check he punches a hole in the tail of the lobster as a check that the lobster will not be paid for twice, and it is then liberated. Do you think that would cause much delay in the work?—A. Of course it would cause a little delay, but it would not be material.

Q. Of course the smackman would have to receive some remuneration for his work, you could not expect him to do that for nothing, and it would not injure the lobster, would it?—A. I do not suppose it would, because there is nothing but shell at the end of the tail anyway.

Q. That is the only way of keeping a check, otherwise if you liberated the lobster without any mark you might have to pay for her pretty often?—A. I guess so, there is no doubt about that.

Witness discharged.

D. B. McLEOD, packer, Briton Cove, called and sworn:—

By the Commissioner:

Q. You are packing in this cove, I understand, Mr. McLeod?—A. Yes.

Q. You are the only packer here?—A. No.

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Q. Who else is there packing in this cove?—A. There is this man from Halifax has a factory down here, he has been packing here for the last two seasons.

Q. Who is that?—A. M. Neville.

Q. And what distance are the other canneries on either side of you?—A. There is one about five miles away, that is the nearest.

Q. Is that to the northward?—A. To the northward.

Q. And how far is the nearest cannery to the southward?—A. About eleven or twelve miles.

Q. What number of boats are fishing for you and deliver you their catch?—A. About 60 this year.

Q. What was the extent of your pack?—A. 443 cases.

Q. I suppose you were below the mark this year?—A. Oh, yes.

Q. What was that due to? Being late in commencing?—A. We were late, and not so much that as that we had some very heavy storms, there was a very heavy storm came about the 9th of July that swept all the gear.

Q. And that practically put an end to the fishery this season?—A. It practically put an end to it.

Q. Did you shut down shortly afterwards?—A. We kept the factory open but we got very few lobsters.

Q. What would you put as the average earning of a good lobster fisherman during a season?—A. Well, it is pretty hard to estimate that in a place like this where there are so many; when the price is good there are generally more fishing, and also when there is a good season.

Q. What would you expect a good lobster fisherman to get as his share of the total catch, how many thousand pounds?—A. The best fisherman we had this year made nearly \$300, about \$290.

Q. That was last year when it was good?—A. Last year.

Q. But that is away above the average?—A. Above the average.

Q. A long way above the average? What number of hands do you employ in the cannery, men, women and girls? Of course it varies, I suppose?—A. It varies considerably. For the last number of years we have hired by the hour. Whenever we have work we hire outside labour.

Q. What is the ordinary wage of a sealer? I suppose he is the best paid official you have?—A. From \$30 to \$35 and found.

Q. What, as a rule, do you pay the girls by the hour?—A. The girls we hire by the month, some of them at \$12, and some we pay \$8, that is for small girls; we pay from \$8 to \$12 per month.

Q. And of course they find themselves?—A. They find themselves.

Q. What is your experience, do you think you require a larger amount of fishing done to keep up your pack now than you did when you began, more boats and more gear?—A. Yes.

Q. How do you find the run of lobsters?—A. We find the run of lobsters smaller.

Q. What do they run here, what is your average to the pound can?—A. Well, up until 1904 we took them by count here.

Q. Tell me, we find in a great many places they have changed from count to weight; why was that change made? Why did you change from count to weight?—A. The lobsters were getting smaller than at first, every year there were more small lobsters.

Q. So that you had to take them by weight?—A. We had to take them by weight.

Q. Was it the practice to take two for one before the change was made, that was the general practice along the coast?—A. No, we never did that; they were doing that down the coast, but we never did it.

Q. Did you tell me how many lobsters they ran to the pound can?—A. The last year we took them by count, that was 1903, they averaged for the whole season $7\frac{2}{3}$ to the pound can. In May they went $7\frac{1}{2}$, in June $7\frac{2}{3}$, and in July $8\frac{1}{3}$, or very nearly that.

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Q. Is it safe to say that, one year with the other, you would expect to get a smaller run of lobsters as the season advances?—A. Yes.

Q. Have you generally packed right up to the end of the season, to the end of July?—A. Yes.

Q. Do your fishermen slack off and begin to scatter before the end of the season?—A. They do, to the west of here.

Q. For what reason?—A. The lobsters are getting scarce, and they do not hold out to the westward, that is in the bay, as well as they do farther north.

Q. The water is shoaler in the bay?—A. Yes, it is shoal.

Q. Now, with regard to this matter of the weight of fish, though they are a larger run in the spring they do not weigh as well, do they? They do not furnish as much meat as the fish you get later in the season?—A. No.

Q. Then they fill up, and you get more meat per hundred pounds of green lobsters than you will at the opening of the season?—A. Oh, yes.

Q. Have you any statistics on that head?—A. I have statistics for 1906 and 1908, I have left 1907 out, you see.

Q. Yes?—A. In 1906, in May, this is the weight, the average was $6\frac{1}{10}$ lbs. to the can.

Q. That is green lobsters per can?—A. Yes. And in June $5\frac{1}{2}$ lbs., in July 5 lbs. In 1908, there would be about $6\frac{1}{10}$ lbs. in May, in June $5\frac{1}{2}$, a fraction over $5\frac{1}{2}$, and in July 5.

Q. Do you notice that towards the end of July you are beginning to get under-sized lobsters?—A. Some years we get more, this year I only noticed a very few, we did not get many this year.

Q. Now, as to the matter of the berried lobster, have you any experience or do you know whether you are liable to have offered to you a larger number at one period of the season than at another?—A. Well, for the last number of years, our fishermen are getting awakened to the fact that it is to their interest to protect the berried lobster, and we do not see many.

Q. But when you did see them?—A. Yes, at certain times there would be more.

Q. Do you think it would be safe to say that, as a rule, you would see more as the season advances, that is towards the close of the season, than at the beginning? Of course I know that lobsters have berries on them all the year round, but of course there are times when they do spawn and then they are riper than at other times?—A. I often spoke to the fishermen about them and they say that the berried lobsters come in schools; sometimes they get quite a number of them, and then they drop off until they will not get any. I do not know whether they get more at the latter part of the season than at any other time.

Q. Do you know whether they are more delicate than the other lobsters? Will they live a shorter time out of the water?—A. I have never noticed, but I have no doubt if the spawn has been washed off them they are more delicate.

Q. Has that practice been followed to any considerable extent along this coast?—A. I do not believe it has generally, but I think it has been done to some extent by some fishermen.

Q. Here the fishermen fish with their own gear and boats?—A. Oh, yes.

Q. And the price we understand was, this year, \$2.25 to \$2.50?—A. Yes, \$2.25.

Q. And later in the season some of them say they got \$2.50?—A. \$2.50.

Q. What was the reason that a lower price was paid this year than last year and the year before?—A. Because the market was very low.

Q. Have you any information that you can give us as to the condition of the market from your own personal experience?—A. Yes.

Q. Where do you sell your fish?—A. In Halifax.

Q. How were you affected by the change in the market?—A. I got a much less price for them.

Q. Had you any difficulty in disposing of them?—A. This year I haven't disposed of them yet. I haven't had returns about it.

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Q. Do they inspect them at Halifax? Do they overhaul them and cull them?—
A. Yes, they open the case and test them.

Q. How do they test them, do you know what practice they follow?—A. They go to work, as I have seen them at it, they select a case out of the lot, open the case and take a few tins out of it which they open and sample. They will probably open two or three cases from a shipment, and if they are all right they pass them all, but if they find anything wrong with them they will open more. Last year I saw them opened on two different occasions.

Q. Do you think that the careful packer suffers through the neglect of the less careful man? Does the quantity of bad lobsters thrown on the market affect the general price?—A. Yes, it does.

Q. Is it to your knowledge that there is a great deal of bad lobster put up?—
A. I do not know that there is, I believe that nowadays every packer is as careful as he can be; but it is a very delicate fish to pack.

Q. You know that in some places there is a great deal of friction between the fisherman and the canner, you have fortunately escaped it here, but it does exist, perhaps it is because they are badly advised, but do you think that the present policy of the department in places where the fishermen are discontented, and think they can do better that way, to allow them to club together and give them a license is a wise and right one?—A. I do not know. I suppose if I were not a packer I would be more liable to answer that question.

Q. Do you think there are canners enough licensed now?—A. I think so.

Q. Do you think the fishermen generally would make more money canning their own catch than by selling their lobsters?—A. No.

Q. Has it been tried, to your knowledge?—A. Yes, it has been tried here.

Q. With what result?—A. There were three or four of them combined here to pack their own catch, but they gave it up and sold the factory to Mr. Neville, of Halifax. I suppose if they had been making money out of it they would not have done that.

Q. Then you think the policy of keeping down the number of canneries is a wise one?—A. I think so.

Q. Do you think we ought to insist on any standard for a cannery? There has been no attempt at anything of that kind, and I suppose you know we see a good many canneries, the product from which we would not care to eat. Do you think the department would be wise to insist upon some sort of standard, that the tables should be prepared in a certain way, and that it should be made the duty of the overseer or inspector to see that the cannery was properly run?—A. Yes, I should think so.

Q. I suppose it is necessary to be scrupulously clean in connection with it?—A. Oh yes, it is for the packer's own benefit.

Q. What have you to guard against most particularly in packing lobsters?—A. We want to put the lobsters up as soon as we can after taking them from the trap.

Q. And not allow them to remain on the tables overnight?—A. Not unless the weather is cool.

Q. Very often they will sour off if left overnight, will they not?—A. Yes, and the meat gets dark.

Q. Do you think that the product of the cannery, the canned goods ought to be inspected? You know that nearly all other food products are now inspected, meat, flour, butter, cheese and everything else. All other canned goods, like meat, has to be overhauled, but lobsters always escape. Do you think it would be an advantage to have a government inspection? It certainly should be to the good and careful canner?—A. Yes, it should be.

Q. And it would be the means of preventing a good deal of poor material getting on the market if a regular inspection were carried on by official inspectors.—A. That would mean, I suppose, opening out the cans after they were packed?

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Q. I suppose it would mean pretty much the same thing as is now done in an unofficial way by the buyer?—A. Yes.

Q. Do you think that the existing staff of the Marine and Fisheries Department would be competent to do that kind of inspection?—A. No, I do not think so.

Q. It would require an expert in the business?—A. Yes.

Q. Now as to this matter of size limit, how would it affect you if the 8-inch limit were strictly enforced?—A. I suppose we would have to close up the factory after some time in June.

Q. You think you would close up then, but you think you could pack until a certain date?—A. I think we could pack until some time in June.

Q. In a great many places they have told us it would put them out of business at once.—A. In some places it would put them out of business all right.

Q. What is the most profitable sized tin to send to the market? What commands the best price?—A. The smallest tin, I believe, is the quarter pound flat. I never packed any of those, half pound flat is the smallest we pack.

Q. In a quarter pound flat you could not put up a very big lobster, could you?—A. They could put up broken meat.

Q. They tell me they must have the complete claw and all that, but it must not be broken.—A. It would be a very small lobster. Some years they want more half pound flats, and we have to give them those, that is when we make a contract with the buyers we have to give them what they want. This year there was only 50 cents a case difference between pound flats and half pound flats, now the case costs that much in buying it.

Q. How do you do, do you manufacture your own tins or buy them already prepared?—A. No, we buy them.

Q. Of all these various propositions which have been made for remedying the state of affairs, to close down altogether, or to close down by sections, what do you think of those two propositions? It has been represented that to close down altogether, or even by sections, for several years would throw a lot of material out of use that would deteriorate and would be practically useless when they began canning again?—A. As far as I can understand that if they were closed down here, the people would have to leave the place, because this is the only fishing in the spring.

Q. And they get cash for their lobsters?—A. Yes.

Q. They tell us in most places where the lobster fishermen are mostly farmers, that is the only way they get cash, by lobster fishing?—A. Yes.

Q. What do you think of this other proposition, to do away with the size limit which is not enforced and never has been?—A. Never has been.

Q. It never has been strictly enforced, it has been in some places a little more than others, in the beginning there was a little attempt to do so, but later it has not been enforced at all. How small lobsters would you can? There must be a limit where it becomes unprofitable to take the small ones?—A. It is not profitable to can under 7 inches, it is not profitable to can the 7 inches even.

Q. But still you have to do so, you must take them from the fishermen?—A. Yes, that is it.

Q. You only take them because the fishermen bring them to you and you cannot help it, is that it?—A. It does not pay the canners to put them up at all; the small lobster meat is more tender, and whenever we had trouble with the pack it has been because of the small lobsters, they will not stand anything and are liable to get dark in the meat.

Q. So that if the size limit were done away with it would not make things worse than they are at present?—A. No, it would not make any change.

Q. And it would not hurt you seriously if the last ten days of the season were cut off?—A. No.

Q. Or even fifteen days?—A. Even fifteen days.

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Q. The most experienced canners we have met seem to think that the remedy is to shorten the season more than anything else?—A. Yes, I believe that.

Q. It is during the last few days of the season that the undersized and berried lobsters are taken?—A. Yes, and the soft lobsters are coming in.

Q. In a great many places we have been told by the canners that if we give them two months' canning they will be satisfied?—A. Yes, it does not pay the fisherman and it does not pay the packer to have a longer season.

Q. And towards the tag end of the season there are other fishing industries that the legitimate fishermen can get to work at?—A. Yes.

By Mr. McKenzie, M.P.:

Q. Two months' packing here would mean from the middle of May to the middle of July?—A. Yes.

Q. Although you are allowed to begin on the 1st of May you seldom get at it until the middle of May?—A. Very seldom, and not often at the middle of May sometimes. Two years ago it was the 6th or 7th of June when we began packing.

By the Commissioner:

Q. Of course some seasons will be short, that is inevitable?—A. This year it was well on in May before we commenced.

Q. Do you not think that the various extensions that have been granted at different times until the middle of August have done more harm than good?—A. Yes, they have.

By Mr. McKenzie, M.P.:

Q. About the price of the lobster, taking one year with another that is calculating upon the seed lobster which is usually eight inches in length or above it, what would you say would be an average value for a single fish?—A. The average value would be, say that you take the seed lobster at 9½ inches, they will average between that and ten inches and that lobster would weigh on the average between 18 and 20 ounces, and the average price that I paid for the last five years was \$2.80 per cwt. At that rate the 18 ounce lobster would be \$3.15 per hundred and the 20 ounce lobster would be \$3.50 per hundred. I think that is the average along the shore.

By the Commissioner:

Q. How much would that be apiece?—A. That would be about 3½ cents apiece on the average all through.

Q. Of course they want to be careful if they are buying them to protect them and not mix them up, so that they might be worth a little more for the extra care devoted to them?—A. Yes.

Q. I think Mr. Baker paid 8 cents a pound for them and complained that he did not get enough. Have you any other statistics there you would like to give us?—A. I do not think there are any other statistics.

By Mr. McKenzie, M.P.:

Q. Have you any figures showing the different dates at which you have opened the factory during the last five or six years, and the different dates on which you have been getting fish?—A. Yes, we can get that in a few seconds. In 1902, we commenced packing on the 6th of May and closed on the 28th of July; in 1903, we commenced on the 11th of May and closed on the 31st of July; in 1904, we commenced on the 10th of May and closed on the 20th of July; in 1905, we commenced on the 24th of May and closed on the 28th of July; in 1906, we commenced on the 4th of May and closed on the 29th of July; in 1907, we commenced on the 14th of June and closed on the 29th of July; in 1908, we commenced on the 8th of May and closed on

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the 31st of July, and in 1909 we commenced on the 20th of May and closed on the 31st of July.

By the Commissioner:

Q. That means that you began packing and closed the factory on the days you have mentioned?—A. Yes, and 1907 was the best season we had both for the fishermen and the packers.

Witness discharged.

Commission adjourned.

INGONISH, C.B., August 25, 1909.

FRED MORRIS, fisherman, Ingonish, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishing?—A. A good many years.

Q. About how long; all your life?—A. I do not know about that exactly, about 15 or 16 years, I suppose, altogether.

Q. Have you always fished from this place?—A. Oh, well, no, I fished a little in Newfoundland.

Q. Are you a native of Newfoundland?—A. No, England.

Q. When did you come over to Newfoundland?—A. When I was 13 years old; I have lived here 21 years this spring.

Q. And you fished here you say how long?—A. Off and on for 15 or 16 years anyway.

Q. And you are fishing here still?—A. I have not been fishing much the last two or three years.

Q. You have been selling your catch to who?—A. To Mr. Burke and others around here.

Q. Who are operating the canneries here?—A. There is Mr. Burke now, and Cann up here; they are the two canning on this side of the bay, and on the south side of the bay the two Hines are running the cannery there. They have two factories on the southward, the two brothers Hines.

Q. Have you any idea how long they have been canning there?—A. They have been canning quite a while.

Q. You have no union of fishermen here?—A. No.

Q. When you are fishing lobsters how do you fish, alone, in a single-handed boat?—A. Yes, pretty much all the time in a single-handed boat.

Q. What time do you begin to fish; one season with another, what time does the lobster fishing open?—A. Along from the 1st to the 15th of May; it depends altogether on the ice; as soon as the ice clears we begin to fish.

Q. In what depth of water do you begin to fish?—A. 8 or 9 fathoms.

Q. How far off shore does that take you?—A. No distances at all outside.

Q. Do you fish on the same ground all through the season?—A. Well, later on in the season we fish in shoaler water; we follow the fish in.

Q. What time of the season do you get the best fishing?—A. When we start first, from the beginning of May until about the 1st of June, somewhere along about that time.

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Q. Do you notice any difference in the fish you get in the beginning of the season as compared with those you get at the end?—A. Generally they begin to get a little smaller at the end.

Q. As the fishing goes on they get smaller?—A. Yes.

Q. You know the regulations about the fishery, that the berried lobsters should be put back in the water and all fish under 8 inches shall be thrown overboard? How have the regulations been observed here in the past? Has there been any attempt to enforce the regulations?—A. Oh, yes.

Q. What proportion of the total catch are under 8 inches?—A. I do not think they are much good, anything under 8 inches; they are very small, and certainly the 7-inch lobster is a very small affair.

Q. If the regulations prohibiting the catching of the lobsters under 8 inches were enforced how would it affect the fisherman and the canner?—A. It would affect them a good bit.

Q. These are the things we want to know?—A. The lobster is all right from about 6 to 7 inches.

Q. From 6 to 7 inches?—A. Oh, yes.

Q. Can you give me any idea of the number of boats that fish lobsters out of this bay?—A. Mr. Burke can give you a pretty good idea how many there are here, and we could soon count up all the others.

Q. I do not want it absolutely, but approximately?—A. I do not know exactly.

Q. Now, with regard to the berried lobster, what has been the practice regarding her here? You see we find that in a good many places the lobster is brought in berries and all, and boiled that way; in other places the berries are brushed off her, and in still other places again they say they return the berried lobster to the water. What is the practice here?—A. For quite a while back the spawn lobster has been thrown right away, it is just passed overboard when the men get it.

Q. Have you any idea how numerous they are? How many out of every hundred lobsters would be spawn lobsters?—A. Sometimes there are quite a number, and at other times you will get very few.

Q. How many would you say there are?—A. Perhaps not 15 or 20.

Q. Do you think there would be that many to the hundred; that is a very large proportion?—A. Well, we will say 10.

Q. Perhaps you have not kept any particular record?—A. No, I have not; some times you would not find any and at other times you would get a considerable number.

Q. Has it been the practice to brush the eggs off or not?—A. I would not like to swear to that.

Q. Do all the fishermen here own their own boats and gear?—A. Pretty much all.

Q. Does the factory supply some people with the boats and gear?—A. In these days, no; they used to do so, but now the fishermen generally supply their own.

Q. What is the arrangement between the fishermen and the canner here, are they sold by count or by weight?—A. By weight the last few years.

Q. Were they ever sold by count?—A. Oh, yes.

Q. Why was the practice changed?—A. There was some kicking, some thought they would do better by weight and they came to the conclusion to weigh them so that every man would have his rights.

Q. What price is paid on this part of the coast for lobsters?—A. \$2 this year and last year \$3 and \$3.50.

Q. And the year before that, have you any idea what the price was?—A. No, I have not.

Q. Now as to that price, how is it established? Who fixes it?—A. Well I suppose the price is fixed generally according to what the cannery are getting for their lobsters in the market.

Q. It is based on the market price?—A. Yes.

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Q. And the fisherman knows when he fishes what he is going to get?—A. Yes, they generally know what the price is before they start.

Q. What has been the practice? Does the fisherman expect to take to the factory everything he catches?—A. Yes, they do around these parts.

Q. Where will he draw the line about small lobsters?—A. Well, he generally has the measure in the boat.

Q. He has the measure in the boat?—A. Yes.

Q. Do you think he measures them carefully to see that they are 8 inches?—A. Well, a man would not need to do that, he would have a pretty good idea when a lobster would go 8 inches, but he would have a measure in his boat to see exactly if he wanted to.

Q. Do you get more berried lobsters at one part of the season than at another? When do you see the most berried lobsters?—A. Going on the last part of June, along in the warmer season.

Q. Do you see more of them when you are in shoal water than you do when fishing in deeper water?—A. Yes.

Q. If the regulations regarding the berried lobster were strictly enforced where should it be enforced? When the lobster is taken out of the trap or in the smack, or at the cannery?—A. It should be enforced, I would say, and most anybody would say, when the lobster is taken out of the trap; let it be passed overboard then and it receives no hurt, but if that lobster is kept in the boat it might die. I would say put her overboard when she is taken out of the trap.

Q. Is it the case that spawn lobsters are more delicate than the unberried lobsters?—A. Not much, I do not think.

Q. And you think that the regulation should be enforced when the berried lobster is taken out of the trap?—A. Yes, that is the time, when she is taken out of the trap first.

Q. You think that is the easiest time to enforce it?—A. The fisherman can then see them easily and can put them overboard.

Q. How would it be possible to get the fishermen to return all these berried lobsters to the water? What is the best way to do that?—A. I do not know that you can do much more than put a fine on a man.

Q. You would have to follow him out there to know what he is doing?—A. It is an easy matter when he comes to the shore to see whether he has passed the berried lobsters overboard or not.

Q. I suppose you realize the fact that the berried lobsters should be saved and they should be put back in the water?—A. That is my idea, they should be put back, every one of them.

Q. I suppose there is no doubt that if all the berried lobsters were protected the fishery would be in a better condition than it is?—A. All these men around here who are lobster fishermen ought to have a pretty good idea of that themselves.

Q. Do the fishermen now use more gear than they used to do when you began to fish?—A. I do not think.

Q. They fish about the same number of traps do they?—A. A good many fish less because they do other work besides, fish haddock or something else.

Q. They haul the traps in the morning and do deep sea fishing through the rest of the time?—A. Oh, yes.

Q. Is that done all through the lobster fishing season?—A. Well, pretty much, coming on towards the last of June; the other month there is not much fishing done for haddock.

Q. When does the haddock fishing begin?—A. About the 20th or 25th of May generally.

Q. What is the reason, do you think, that the fishermen are so careless about protecting the berried lobster?—A. I do not know, except that when a man gets them he doesn't like to let them go, that is the only thing I can attribute it to.

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Q. It has been proposed among other suggestions made to the department with a view of protecting the lobster, that the lobster fisherman should be obliged to take out a license, he need not perhaps pay anything for it, but he would have, before he began fishing lobsters, to take from the fishery officer who comes around, a license on a printed form. The idea of those who suggested it is that a man having a license of that kind would feel himself bound to observe the law and he would be likely to keep a good lookout for others who did not. Do you think it would have that effect?—A. I am sure of it.

Q. And if any person holding a license were found to be persistently breaking the law he would not be given a license in future and could not therefore fish lobsters. That is suggested as one way of getting the fishermen to observe the regulation with regard to the berried lobster particularly.—A. That should be done, it is pretty hard for a man to get out in his boat and measure every lobster coming into that boat, it is quite possible he might unintentionally bring in a lobster that is a little too small, and the small lobsters are not making much difference. But with regard to the berried lobsters it should. In a storm or anything like that he might not see the small lobster and might pass him over, but small lobsters I would not have anything to say about them, but the berried lobster he can easily see.

Q. With regard to the small lobster, do you think it is wise to destroy him? Isn't it better to wait until he comes to maturity?—A. I do not know I am sure.

Q. They grow 2 inches a year, at least an 8-inch lobster is supposed to be three years, and is it not a short-sighted policy on the part of the fishermen to destroy the small lobster?—A. I think to give every one fair play the lobster should be about 6 inches, and anything any less than that should be passed over, but when it comes to 6 inches a man should have a very good idea whether that lobster is worth taking.

Q. You think that if the limit were fixed at 6 inches the law would be observed?—A. I would say so, because I do not think anything under 6 inches is much good to the canner or any other man.

Q. It is not a question of whether it is much good, but whether it is right to destroy the lobster at that age. The lobster is not supposed to reach the size at which it reproduces itself before it is 8 inches, and if you destroy your lambs and your calves what is going to happen? That is what has brought about the difficulties in the lobster business, the destruction of the immature and the berried lobsters?—A. Oh yes, I hold to the berried lobster, I will pass her over every time.

Q. But you still stick to the small lobster?—A. Yes.

Q. What sort of a trap do you use here?—A. Oh the common style of trap.

Q. Is it the old fashioned double ender trap?—A. No, what they call the parlour trap.

Q. What space is left between the slats now?—A. One and a half or two inches.

Q. You ought not to have many small lobsters if you have a space as wide as that?—A. About that, one and a half inches.

Q. What do you use for a gauge?—A. Generally a small lath.

Q. A lath is only one and a quarter inches wide?—A. About one and a half inches.

Q. What do you think of the matter of licensing the canneries? Do you think there should be any limit to the number of canneries? The practice of the department for some years back has been, you will understand, to limit the number of canneries with a view of protecting the fishery. There are not now nearly as many canneries in operation as there used to be; do you think that is a wise thing to do, to keep down the number?—A. I do not know, I do not see much use in that; the lobsters will be canned anyhow and I do not see how it matters who cans them.

Q. Do you not think that if there were more canneries more lobsters would be caught?—A. No, I do not think there would be; I think pretty much anybody who can fish is fishing now. I cannot see where there is room for any more to put their gear out.

Q. Have you ever heard anything about pounds and hatcheries?—A. They were around here two or three years for the berried lobsters.

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Q. Did they come very often?—A. Two or three times.

Q. That was for Mr. Baker's pound at Fourchu?—A. Yes, he had a steamer come here a couple of times, that is all.

Q. How did they carry those lobsters? Were they put in crates or how?—A. I do not know, I know he came and took them.

Q. It was a long way to come for berried lobsters?—A. Yes.

Q. The idea in encouraging the establishment of these pounds is that it is one way of protecting the berried lobster by holding out some inducement to the fishermen to save her, bring her in, by paying him as much or a little more than he will get for the general run of lobsters. The berried lobster is then turned into the pound where she can hatch out her eggs, and at the conclusion of the season she is set free again. Do you think there is any possibility of establishing a pound in this neighbourhood? You want a place with a narrow outlet, so that you can bar it across to keep the lobsters in, with free access for the inflow and outflow of the tide, it must be salt water, and a considerable depth of water, because they cannot stand the heat?—A. I do not know, unless it is just below here.

Q. You want some kind of narrow place which can be barred across?—A. They could not get it this side of the bay.

Q. Do you know anything about hatcheries?—A. No, I do not.

Q. They are established in the same way, the berried lobsters are brought into the factory and the eggs are scraped off them and are protected and cared for until the smack comes and takes them to the hatchery where they are hatched out in glass jars. Of course the best way of all is to put back the berried lobster into the water?—A. Yes, that is the best way there is no doubt about that.

Q. Another matter that I might ask you about in connection with the licensing of canneries is this, that in some places the fishermen have complained they are not getting enough for their lobsters, and there was a good deal of ill feeling in consequence, so the department decided to issue what they call co-operative licenses under which a number of fishermen who thought they could do better by canning their own lobsters would be given a license; that number was fixed at 15, what do you think of that?—A. That would be all right if the people were not satisfied with what they got.

Q. Do you think that 15 is a fair number, or should it be more or less?—A. 15 is, I think, plenty, if not too many.

Q. A number of other suggestions have been made to the Department by those interested, with a view of relieving the conditions which exist. One suggestion is to shut down altogether, to stop all lobster fishing for a term of years; how would that appeal to you?—A. I suppose it would suit all right if the people could live in the meantime.

Q. You think it would go pretty hard on some of them?—A. It would be hard on the people, how are they to live?

Q. You think there is nothing else they could do?—A. Oh well, they might go into codfishing or something like that.

Q. The Lobster Commission of 1898, composed of a number of gentlemen who were appointed to go around, take evidence, and make recommendations, reported in favor of shutting off by sections, that is stopping the fishery on one portion of the coast for one or two years, and then changing around so that all portions of the coast would be given a close season for a certain period. How do you think that would work?—A. That might work all right, but there would be, I suppose, a kick that way too.

Q. Another suggestion is to do away with the size limit altogether, it is difficult to enforce it, and it has not been enforced, and to protect the berried lobster as much as it is possible to do.—A. That is what I think would be the best thing in the world.

Q. That is the proposition, and at the same time you are doing away with the size limit to shorten the season a little by way of compensation?—A. I do not know about that, but to do away with the size limit would be a very good idea as well as to protect the berried lobster. the law should be very strict about that.

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Q. And in exchange for doing away with the size limit the Department might fairly say: 'If we do away with that we want something in return and therefore we propose to shorten up the season by ten days.' Is it not at the end of the season, in July, that the most damage is done by the destruction of the small and the berried lobsters?—A. Yes, I think it is, I know myself that you generally get a run of small lobsters then.

Q. How would it affect you here generally if the season were shortened by about ten days? Of course we know you do not begin to fish until the middle of May or sometimes even until June.—A. That is the point, I think that with any people who can start out on the 1st of May you could shorten it that way, but when you cannot commence until the 1st day of June if you shorten it by ten days then they have very little time to fish at all.

Q. I suppose you have never done anything in the way of the live lobster trade here, you have never sent them alive to market?—A. No.

Q. You are too far out of the way for anything of that kind?—A. No, we have never done it, we are too far out of the way.

Q. Is there anything else you would like to say or any suggestion you would like to make, is there anything I have not covered?—A. I have'nt anything else to say.

Witness discharged.

ROBERT JACKSON, fisherman, Ingonish, called and sworn:—

By the Commissioner:

Q. You live in Ingonish and have always lived here?—A. Always.

Q. How long have you been engaged in the lobster business?—A. About 10 years I guess.

Q. Then you did not begin at the commencement of it?—A. No, sir.

Q. But you can go back to the time when there was no lobster fishing, you can remember when there were no canneries here?—A. I do.

Q. When did the canning first begin here?—A. Somewhere about 25 or 30 years ago.

Q. Were the same canners that are operating now here then?—A. No.

Q. Who was the first man to begin?—A. A man named Fitch from Halifax was the first.

Q. What is your experience in connection with the lobster fishery, how is the lobster fishing today compared with what it was when you were young?—A. I know there are not half as many taken, and I know they are not half as big.

Q. They tell us in a great many places that they have run down in the size and that the quantity taken must be as large as they were before?—A. There might be as many in the water, but they are not as large a run of lobsters I know in this place.

Q. What do you attribute that decrease to?—A. Well, continual fishing is what is doing it.

Q. And do you think that the destructive methods of fishing has something to do with it? Is it fair to say that the waste of the spawning fish and the small lobsters have been the greatest factors in the destruction rather than anything else?—A. That might be.

Q. I do not want to put words in your mouth, you have your own opinion about it?—A. I do not know.

Q. At all events you will say that it was overfishing?—A. That is what I would think, it would be overfishing and not giving the lobsters time enough to grow big.

Q. That is the best way to put it I suppose. What is the number of traps fished by a lobster fisherman now?—A. From 100 down.

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Q. Is that a single-handed boat?—A. When a man has 100 traps or over he has two men; a single-handed boat has 50 or 60 traps.

Q. How are these generally fished, single lines or on trawls?—A. No, not on trawls, single lines.

Q. What is the advantage of single line fishing over trawl fishing?—A. You can move them around more easily.

Q. How often are they fished, once or twice a day?—A. Once a day.

Q. Where they are fishing single, they sometimes fish twice a day?—A. There are some who fish twice a day when they are running.

Q. How do you fish at the beginning of the season?—A. In 8 to 10 fathoms.

Q. That does not take you very far from the shore?—A. No, the water is deeper around the Island than what it is on the mainland.

Q. What kind of a bottom have you there?—A. Rock and kelp.

Q. That is the best bottom for lobsters?—A. Yes.

Q. A sandy bottom is no good?—A. No, nor a mud bottom.

Q. Do you think on the whole that you get a smaller run of lobsters late in the season, in shoal water, than you do early in deep water?—A. I think we do.

Q. And do you think it would be right to say that you get more berried lobsters?—A. Yes, coming on the last of July we get more seed lobsters than we do at any time of the year.

Q. You see them at all seasons?—A. Yes, but they are not so plentiful.

Q. Are the fishermen fishing more gear now than they used to?—A. No, I do not think so, they are fishing about the same quantity.

Q. Do you think that the traps used now are any more destructive to the lobsters, that it catches a smaller lobster than the one you formerly used?—A. No, I do not think so, but when a lobster gets into the trap he cannot get out of it.

Q. But do you think the slats are not put closer together than they used to be?—A. I do not know about that, some may have them closer and others may have them about the same.

Q. We find in some places that, by actual measurement, they are only half an inch?—A. That is not around here.

Q. What is the usual gauge, the slat itself?—A. Some take the slat itself and some the back of the hatchet, that would be about $1\frac{1}{4}$ or $1\frac{1}{8}$ inch.

Q. Do you think that the width of the opening between the slats in the trap will have anything to do with the catching of small lobsters? Will a fair size opening allow the small lobsters to escape?—A. Yes, it will.

Q. Does the small lobster try to escape when the trap is disturbed? Some say that he will not, but that he will take hold and hang on?—A. No, I have seen them come straight off the head of the trap, and get right straight out.

Q. What size mesh is there in the net at the end of the trap?—A. $2\frac{1}{2}$ or 3 inches.

Q. What would be your opinion as to the percentage of undersized lobsters taken? Of course we know that the regulation calls for nothing under an 8-inch lobster, but we know also that that regulation has not been enforced, and I do not know that it ever was enforced. What percentage of the lobsters taken in the trap would be under 8 inches? They tell us in a good many places that if we enforce strictly that 8-inch limit it would put both the canner and the fishermen out of operations, that the quantity of lobsters taken above that would not be enough to keep them going.—A. It pretty nearly would do so in this place, there is a small run of lobsters here.

Q. Various suggestions have been made with a view of remedying this state of affairs, you have heard me, perhaps, tell the other gentlemen, what those suggestions were; you see the Department is continually in the receipt of advice from various quarters as to what should be done to improve matters. Some people say shut down altogether, close up the lobster fishery for a term of years, until things come back to where they were before and then start in with a new set of regulations.—A. That might suit some, but those who are depending on what they get from the lobster fishery

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at the first of the season would feel it pretty hard if they had their earnings cut off.

Q. I suppose there is a large portion of the population that depend upon the lobster fishing for their early spring earnings?—A. Oh, yes.

Q. What would you say is the average earning of the lobster fisherman? You can get at it I suppose by knowing how many thousand pound he catches?—A. I could not tell you, some of them do well at it, and others do not do as well.

Q. That is the same way with everything, but there will be an average I suppose?—A. Yes, I suppose Mr. Burke will have a good idea on that.

Q. I suppose the fishermen here own their own boats and gear?—A. Yes, pretty much all.

Q. The last Lobster Commission, in 1898, composed of a number of gentlemen from various provinces, who were appointed for that purpose, went around and interviewed the fishermen and sent in their recommendations. The first recommendation they made was that we should close down by sections, that a certain part of the coast should be shut down for a year or two, and the other parts be allowed to go on and fish, and that then the first part should be allowed to resume fishing and another part be closed off and so move it around until all the coast had had a close season, what do you think of that?—A. I do not know how that would work around here; I do not think it would do very well.

Q. The opinion among fishermen seems to be that the proposition is one that it would be very difficult to entertain, and after all it does not appear to them that the fishery has reached a stage to call for such a severe remedy. Another recommendation that has been made is to do away with the size limit, which never has been and cannot be enforced, as they say you would need an officer in every boat in order to enforce it, and to strictly protect the berried lobster by some means or other.—A. That is the right thing to do.

Q. Do you think the best way to do that is to put her straight back in the water, if everybody would do it?—A. Yes.

Q. And in return for doing away with the size limit altogether, it is necessary to do something to balance that, it is thought that it will be necessary to somewhat shorten the season. The general feeling among careful fishermen and among packers, too, is that the greatest part of the damage is done during the last few days of the season?—A. If we were sure to be able to commence the fishing on the 1st of May in every season it would be all right, but our time is so uncertain you see.

Q. The theory upon which all these recommendations are based is this that if that regulation were enforced and lived up to for a few years the fishery would be so improved that all the fishermen would be recouped for any temporary loss they might sustain, do you not think they would?—A. Yes, I think they would.

Q. Others again have said: 'Give us a 7 inch limit and we will not take any smaller lobsters, and then protect the berried lobsters and we will get along all right.'—A. Yes.

Q. But you see at one time it was a higher limit, 9 inches was the limit, and they said: 'Give us an 8 inch limit, the 9 inch limit is not observed, but if you give us an 8 inch limit we will live up to it.' The 8 inch limit was established, and while it may have been observed in the early days of the regulation we find that there is very little pretense of observing it now and they say that the limit is not enforced and cannot be enforced but if they had a 7 inch limit they would live up to it. They contend that it is a mistake to have an 8 inch limit that is not enforced?—A. It is not good.

Q. But will it be any better if the limit is made 7 inches than it was before? Do you not think that shortening the season the way I speak of by ten days would do the least harm to the fishermen of all these remedies? There are other fisheries of course they can go to then, and the fact is that towards the close of the season a great many canneries do shut down, and do not operate until the close of the season; a great many fishermen also knock off fishing so that the whole thing is pretty slack towards the end?—A. Yes, that is so, and they are not catching any.

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Q. What do you think of this other proposition to license the fishermen?—A. I do not know.

Q. The proposal has been made that the lobster fishermen should be required to take out a license?—A. I do not approve of that myself.

Q. It does not follow that he would have to pay anything for it, but simply when the fishery officer came around to pay the bounty in the spring, those intending to fish the lobsters would take out a license. The idea is that the man taking out a license would feel himself to be, to a certain extent, an officer of the law and would be more apt to observe the law and see that others did the same. In the event of his turning out to be a persistent violator of the law he would lose his license, and another year he would not be able to fish lobsters at all. That is the theory on which the proposition is made. Do you think it would be workable and would have the effect they say it would?—A. I think the best thing would be to wipe out the size limit altogether.

Q. And what about the shortening of the season, we would require to have something on the other side to balance the wiping out of the size limit?—A. It might work that way better than the other way.

Q. As to the matter of the price paid for the lobsters, who fixes that, how is it arranged? Some people think the canners are making great fortunes out of it?—A. There is no fortune to be made out of it, I don't think.

Q. I suppose all that is a matter that has to be regulated by the market, is that the way you feel about it? Are the fishermen generally satisfied that they are getting their share?—A. I think so.

Q. The market for lobsters fluctuates the same as the market for any other thing?—A. Yes.

Q. How does the price paid now compare with what you had when you first began to fish?—A. I think that the price is better than it used to be.

Q. It is a great deal better generally in my country; then we bought lobsters by count at 40 or 50 cents a hundred.—A. I think when they first started canning lobsters here it was 50 cents a hundred.

Q. And the price has greatly gone up over that?—A. Yes.

Q. What is your own experience of the practice generally with regard to the berried lobster here? Do you think that there is a growing feeling that she should be saved, and that, generally speaking, the fishermen are more disposed to-day to put her back in the water and protect her than they used to be?—A. I certainly do, and I would be loath to think that any fishermen in Ingonish would take the berried lobster; if it were not so we would run out of lobsters here very quickly.

Q. Do you think that the regulation has been fairly well observed?—A. As far as I know about it.

Q. Have you ever noticed the size of the berried lobster? What is the smallest lobster you ever saw with berries on?—A. I have seen them as small as 8 inches, but I do not think you ever see any with berries on less than that; I have come across 2 or 3 about 8 inches, but I never remember seeing any less than that.

Q. Do you think that the lobster with berries on is more delicate than the ordinary lobster?—A. Well, I do not know about that I am sure.

Q. Where they ship them alive to the market they say that the berried lobster will not stand any exposure?—A. They say that if they lose any spawn they are apt to die right away.

Q. They are very careful not to take any berried lobsters with the spawn brushed off them, they will not take them because they die immediately?—A. I guess that is so.

Q. Do the canners here object to receiving berried lobsters?—A. Yes, they strictly object.

Q. Is that only of recent years, or was it always the case, or do you know about that?—A. Ever since I have been fishing they have been very careful of the spawn lobsters and of the small ones.

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Q. Do you not think that the fishermen expect the canner to take everything that is brought to him?—A. I do not think they do.

Q. Would there be any other market for your lobsters?—A. Not here, there would not; what few could be shipped from here one man could supply all the market there would be for them.

Q. That is the local market?—A. Yes, North Sydney is the only market we can get for them, and that market will not take a great many, one man can supply that.

Q. Have you any idea as to where the live lobster trade can be carried on, which branch of the fishery is the most profitable to the fishermen, the live lobster trade or selling to the canner?—A. No, I have not.

Q. You never had any experience?—A. I never had any experience of that kind, oh no.

Q. Is there ever any fishing done here outside of the season, any packing or anything of that kind?—A. No, I know of none here.

Q. It has been alleged that in some instances the fishermen have suffered injury by the failure of those holding canning licenses to operate the factory, although a sufficient supply of lobsters to enable them to do so was available. Do you know anything about that?—A. No.

Q. Do you think there is any combination on the part of the packers to keep down the price?—A. I do not know that there is, I would not like to say so anyhow.

Q. That is one of the things that one thinks about sometimes, but will not say anything about?—A. Yes.

Q. Do you think the fishermen would make any more money if they were allowed to can for themselves?—A. I do not think so myself.

Q. It requires some capital and business experience to operate the canneries successfully.—A. And if a man went to work to can them he could not spare the time to go out and get them, so that what they gain in one way they would lose in another.

Q. Have you any knowledge of the system of hatcheries and pounds and things of that kind?—A. No, I never saw any of them.

Q. For the hatchery we have the fishermen bringing in the berried lobsters to the cannery where the eggs are stripped off them, and then the eggs are sent to the hatchery?—A. I would not think that the egg would hatch until it came to perfection, and that it would do better when on the lobster itself.

Q. Of course, if the eggs are not very far advanced it will take a longer time to hatch them than if they are almost ripe when they are stripped off the lobster. Sometimes they hatch almost as quick as they are brought into the hatchery; they are kept dancing about in the glass jars in the hatchery as though they were in the sea?—A. Yes.

Q. With regard to the pounds, that is another way of protecting the berried lobster, instead of taking the berries off her they put her into a pound and keep her there until the fishing season is over and then turn her loose to hatch out her berries. Are there any facilities here, do you think, for carrying on a pound?—A. I do not think there are.

Q. I think you told us that the best part of the fishing season was the early part, when the fishing industry is most actively prosecuted?—A. Yes.

By Mr. McKenzie, M.P.:

Q. I think the Commissioner asked you the number of berried lobsters you got out of every hundred, how many did you say?—A. That depends a great deal on the place you are fishing, some men fish in so many different places, and you will get more berried lobsters in one place than you will in another. Some men will get more berried lobsters than other men will, but I do not ever remember getting over 8 or 10 in the hundred in the best of the fishing.

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By the Commissioner:

Q. And the average would not be as high as that?—A. That would be, of course, in the bay fishing, there may be some difference when we are fishing at the Headlands, you know.

By Mr. McKenzie, M.P.:

Q. Have you any idea whether the lobsters travel far away from one place to another? Or do they simply back off the shore in the winter and come back in the spring? Have you any information about that?—A. By the way they work out in the spring it appears that they back off into deep water, and they would not be far away, because as soon as the spring comes they are here very early, so that they cannot be a very great distance off.

Q. So that if the Ingonish lobsters stay here and do not go to Neil's Harbour, and the Neil's Harbour lobsters do not come here it is very important to the fishermen that you should save your own seed lobsters here?—A. Yes, I think so.

Q. Because if they do not breed on these grounds you exterminate them altogether?—A. I know that a great many spawn lobsters were taken from here one summer and we found the effect of it afterwards.

By the Commissioner:

Q. They do not distribute the lobsters from the pound here?—A. I do not know about that, but I know that two or three years we felt it.

By Mr. McKenzie, M.P.:

Q. You have had no competition here from outside fishermen coming in?—A. No, I do not know of any.

Q. We had a complaint at Neil's Harbour yesterday that some of the packers supplied boats and gear to fish with, and that men came in from the outside to fish them. You have none of that here?—A. Not that I am aware of, I never heard of it.

Witness discharged.

S. S. BURKE, packer, Ingonish, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster packing?—A. 14 years.

Q. Were there other canneries here before you began?—A. Yes, many years ago.

Q. Whose cannery was that?—A. Pitts.

Q. Was he the first here?—A. The first in Northern Ingonish.

Q. How long before you commenced was it that he began?—A. It must have been 25 or 22 years.

Q. Then the fishery commenced here a good many years ago?—A. Yes.

Q. What became of him, where did he move to?—A. At that time he owned most of the gear and supplied the fishermen, and the storms destroyed it all and he failed, that is how I understand it was.

Q. Has it been your practice to employ fishermen and supply them with gear?—A. It has, I used to supply it but the last few years they found it.

Q. What difference used you to make between those who fished their own gear and those who fished your gear?—A. About \$1 a hundred.

Q. You paid the men who fished your gear about \$1 a hundred less?—A. Yes.

Q. Had you any reason to think they were not careful of the gear when they were working on that line?—A. Yes, I did have.

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Q. Did it happen to you that they abandoned the fishery and left the gear in the water?—A. Well, the storms were so frequent in those days.

Q. How many boats do you employ here now?—A. About 20 or 22.

Q. What is the extent of your pack?—A. It differs, this year it was one-third less than last year. Last year we packed 294 cases, this year 203.

Q. That was due to the rough water and the poor fishing generally?—A. Not to the poor fishing altogether, but to the destruction of the gear.

Q. It was because there was nothing left to fish with?—A. That was it.

Q. What percentage of the gear is lost every year?—A. Some years there is scarcely any lost but this year almost all of it was lost.

Q. What number of hands do you employ in the cannery?—A. 12 or 13 hands.

Q. That is men and women?—A. Yes, sometimes less and sometimes more.

Q. What is the wage generally paid a sealer?—A. \$35 and board.

Q. And how are the girls paid?—A. \$12 and \$15.

Q. That is per month, and they board themselves?—A. Yes.

Q. I suppose all your help is obtained in the neighbourhood?—A. Yes.

Q. What is your experience during the time you have been packing? How do the lobsters run to-day compared with what they were when you began?—A. When I began there was not anyone fishing here very much for 15 years; there were a few fishermen on this side of the bay who sold their lobsters to the packers on the south side of the bay, and there were not so many traps fished here. The first year I packed 600 cases with 1,000 traps.

Q. How many traps do your fishermen fish altogether now?—A. About a thousand.

Q. You think there is no more gear in the water now than there was then?—A. Not in my opinion.

Q. How do the fish run with regard to size?—A. They are smaller.

Q. Have you any idea how many fish it takes in your case to fill a pound can? What is your average in that respect?—A. It takes 250 to 300 at the first of the season, it takes more lobsters to fill a case then than in the latter part.

Q. How many lobsters do you consider it takes to make 100 pounds?—A. It takes 150 lobsters on the average to make 100 pounds, in some localities 100 lobsters will average a pound each, but not the general average.

Q. How many pounds of green lobsters do you require to a case?—A. About 275, anywhere from 250 to 300 pounds, it depends upon the season.

Q. At the first of the season they are not as good an average as they are later?—A. No.

Q. How would it affect you if this regulation regarding the 8-inch limit were enforced?—A. We would not pack as many lobsters.

Q. But would it put you out of business? Would you pack so few that you would have to give up?—A. No.

Q. In what style of can do you mostly pack your lobsters?—A. Pounds and halves.

Q. You do not come down to quarter pounds?—A. No.

Q. As to the matter of licenses what is your opinion, do you think the Department is wise in their policy of restricting the number of licenses?—A. Well, that is a question that I am not—I think there are enough canneries on the coast now.

Q. Then you think the Department's policy in keeping it limited is wise?—A. Yes.

Q. Is it your opinion that if there were more canneries there would be greater destruction of lobsters?—A. It is.

Q. What do you think of the policy of the Department in the matter of co-operative licenses? There are, of course, complaints from the fishermen in various sections that they are not getting a fair show and the Department replied: "Very well, if a number of you will combine together we will give you what we call a co-operative license and you can can for yourselves." Do you think that should satisfy the fishermen?—A. Yes.

Q. You think that meets the difficulty?—A. Yes.

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Q. Would you keep the number at 15 or would you keep it lower—A. I think that if that number agree to work together they should have a co-operative license.

Q. What is your opinion about the various remedies that have been suggested to bring about an improvement in the existing condition of the lobster fishery? What do you think of that idea of closing down altogether for a number of years?—A. I think if that were done it would certainly give an impetus to the lobster fishery.

Q. If it were shut up altogether?—A. Yes, but the trouble is that it would be pretty hard on both the packers and the fishermen. But it is the only true solution, I believe, to close down for a number of years.

Q. What do you think of this other proposition to do away with the size limit and shorten the season?—A. If I were making the law I do not think I would reduce it below 7 inches, and I would have that regulation strictly enforced.

Q. Do you not think there would be the same trouble about enforcing that as there formerly was with regard to the 9-inch limit as there now is with regard to the 8-inch?—A. It all depends on the canneries, whether they are taking them or not.

Q. Would you leave the onus on the canners instead of on the fishermen?—A. Certainly.

Q. About that matter of the protection of the berried lobster do you not think that the berried lobster should be returned to the water by the fisherman?—A. Certainly, we never take the berried lobster. I will say this for the fishermen here that they are very particular about that, and have been for five years.

Q. Was it ever the practice here to strip the berries off her?—A. Yes, it was.

Q. You think if the canner were to absolutely refuse to receive illegal lobsters that would settle the matter?—A. I think it would.

Q. You think you could get along and do that?—A. I do.

By Mr. McKenzie, M.P.:

Q. That is with a 7-inch limit?—A. Yes, with a 7-inch limit.

By the Commissioner:

Q. What is your opinion on that matter of pounds the holding of the seed lobster in pounds until the season for spawning is over?—A. I have no knowledge of those pounds, I do not know anything about them.

Q. Then as to the matter of hatcheries, have you any knowledge about them?—A. I have no knowledge of them either.

Q. Would you favour the erection of more hatcheries where it is possible to have a supply of eggs for them?—A. If they were liberated at the proper spot and the proper time I think that would be the natural way of propagation.

Q. Is it your opinion that the present impoverished condition of the lobster fishery is due to overfishing?—A. I see no other cause for it, no other explanation.

Q. Do you think it is in the interests of the lobster fishery that lobsters should be taken before they reach the age of maturity or the age at which reproduction is reached?—A. No they should not be fished.

Q. What do you think about the shortening of the season yourself?—A. Well, the last two weeks in July are no good to the packer or to the fishermen.

Q. And do you think also that it is during those last two weeks the greatest harm is done?—A. Well, I do not know, the people who put their traps out in deeper water the last two weeks get better lobsters than are taken in shoal water.

Q. That is those who go to deep water get a better run?—A. Yes.

Q. The majority of the fishermen come closer in shore towards the close of the season?—A. Yes, they do.

Q. How would it affect you and the most of the fishermen here, if the season were shortened?—A. I believe it would be better if it were shortened ten days.

Q. Is it the case that fishermen begin to slack off about that time, and that some of them go to other fishing?—A. Certainly.

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Q. And as far as the canners generally are concerned they would be satisfied to see the season shortened?—A. I speak for myself merely.

Q. Many of them tell us they would rather shut down earlier?—A. I think so.

Q. Do you think it is the case that canners are compelled to take small and berried lobsters for fear of losing their fishermen?—A. No.

Q. Have the regulations ever been very strictly enforced within your recollection?—A. Yes.

Q. When?—A. Not in my time, but to my knowledge on several occasions they have been strictly enforced.

Q. Have you ever been fined?—A. Yes.

Q. How long ago, it must have been a long time?—A. The first and second years I was packing.

Q. I thought it was a long time ago. With regard to the live lobster fishery, you have no opportunity of carrying it on here?—A. No.

Q. You are too far away from the market, and the means of getting the fish rapidly to the market do not exist here, so there is no use discussing it?—A. No.

Q. There is one other matter I want to ask you about, do you think we should exact some standard in the cannery? It has been proposed that we should say that the tables should be covered in a certain way, and that certain care should be observed in putting up the pack?—A. Yes, I think it would be good for everybody.

Q. Do you think it would have a good effect on the market generally if that were done?—A. I think so.

Q. I suppose it is the case that the good packer suffers on account of the misdeeds of the careless one?—A. I think so.

Q. Do you think it would be wise to inspect the pack officially the same as pork, butter, and certain other food products are inspected?—A. Certainly, it is to the packer's own interest anyway.

Q. I suppose the price paid for lobsters is dependent on the market?—A. Yes, last year we paid \$3.50, this year we paid \$2.25, that was all we could afford to pay.

Q. Is it to your knowledge that there has been fishing and packing carried on after the close of the season? In some places we find there is fishing after the close of the season and some illegal packing carried on?—A. Not that I can prove.

Q. What do you think of the method of stamping or labelling the cases, is there any good produced by that?—A. I think so, I think it is a check on sending out something that was not legally packed.

Q. The idea was that labelling the cases would put an end to the sale of lobsters that are caught and packed after the season, illegal lobsters, but it does not seem to have done that.—A. There is another way of sending them out if they want to get around the law.

Q. By unpacking the cases and packing them over again?—A. Not exactly that.

Q. Some underground way?—(No answer.)

Q. What do you think about fishing in the shoal water of bays and lagoons? Do you think that fishing in very shoal water should be allowed, or do you think there should be a limit in that respect?—A. In this bay the water is very shoal anyway and at the first in the spring there are a good many lobsters come in, and they stay in shore most of them until they are caught up.

Q. What is the general nature of the bottom of the bay?—A. They fish generally on the rocky bottom, they will not fish on the sandy bottom because they will not get any lobsters.

Q. Are hoop nets used here at all?—A. Not now. The berried lobsters were very scarce this year, I never knew them to be as scarce as they were this year. They are much less than 10 in a 100 in my opinion.

Q. Do you think they ever go that high?—A. No, I do not think so.

Q. I do not think they ever go, at the very outside, more than 5?—A. That is about it.

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Q. So that it would not be such a serious matter for the fisherman to return those fish to the water? He would not lose so much, and he would ultimately gain a great deal?—A. Yes, I think that is quite true.

By Mr. McKenzie, M.P.:

Q. There is no branch of the Fishermen's Union here, is there?—A. No.

Q. With reference to the number of fishermen required to obtain a co-operative license, 15, I think perhaps that number has its origin in the provincial legislation which fixed 15 as the basis for the formation of a Union. The Nova Scotia Act provides 15 fishermen may organize themselves into a Fishermen's Union, and possibly the Dominion Government took that as a cue when fixing the number necessary to obtain a co-operative license. Now, supposing these 15 fishermen got together and made up their minds that they would pack lobsters, what would it cost them to fit out their cannery, to say nothing about fitting out for catching lobsters, what would the outfit for the cannery cost them?—A. You mean including tins, solder, everything ready for canning and the building?

Q. No, because the cost of the tins would be large or small according to their catch, but I mean the necessary outfit for the cannery?—A. If there is a standard put on by the Government as Commissioner Wakeham has suggested, that would all depend upon the requirements of that standard.

Q. I mean having the tables covered with zinc, for instance.—A. Then of course they can put up a very rough shack for packing lobsters as long as it is tight and clean inside, that could be put up for \$100, and then there is the boat and everything else, I think \$250 would start a small cannery.

Q. Would that cover everything?—A. I mean there is the labour besides that.

Q. \$250 would cover the things they would have to buy outside of their own labour??—A. Yes.

Q. How many traps does the ordinary fisherman fish?—A. From 50 to 100, about 75 on the average, a good many of them fish 75.

Q. That is for one man, and every man owns his own traps?—A. Yes.

Q. What does it cost a man to build or buy, and fit up, say 100 traps?—A. Clear of his own labour, including rope and everything, it would cost him \$30.

Q. That is the material?—A. Yes.

Q. And if he had to buy them?—A. It would cost him \$50.

Witness discharged.

Commission adjourned.

GABARUS BARACHOIS, August 30, 1909

E. G. WHITMAN, packer, Beaver Harbour, Halifax County, called and sworn:—

By the Commissioner:

Q. You are managing the cannery here for whom?—A. B. F. Smith & Co., Halifax.

Q. How long have you been connected with this cannery?—A. With this company do you mean?

Q. Yes?—A. I have been connected with them about 10 years.

Q. How long have you been here at Gabarus for them?—A. I think this is the fourth season.

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Q. What is the extent of the cannery, how many cases did you put up this year?
—A. 200.

Q. And last year?—A. I could not give you the exact figures.

Q. About how many?—A. Well, over 400 anyway.

Q. And the year before, 1907 and 1908 we find in most cases were pretty fair years?—A. Ours were pretty small.

Q. What was the largest pack ever put up here, do you know?—A. Last year, something about 400 cases.

Q. How many boats fish for the cannery?—A. It is pretty hard to get at that, some days you will get a good many and other days there will not be so many. I think I have the names of 24 or 25 fishermen on the books.

Q. These all own their own boats and gear?—A. As far as I know.

Q. The factory does not supply the boats and gear?—A. No.

Q. When did you make your first pack this year?—A. May 20th I think it was.

Q. The 20th of May or June?—A. May.

Q. And when did you close down?—A. We closed down the 2nd of August.

Q. You canned right up to the close of the season?—A. Yes.

Q. About what time does the fishing begin?—A. On an average about the 15th of May, some years it is earlier and some later.

Q. The opening of the season depends upon the ice conditions, whether the ice has gone or not?—A. Yes.

Q. This is a pretty exposed place, is the loss of gear pretty large?—A. Yes.

Q. The fishermen lose a lot of gear?—A. Yes.

Q. Are you fishing a larger amount of gear now in order to keep your cannery going than you used to formerly?—A. Not that I know of, the fishermen, of course, could answer that.

Q. From your own observation as a canner what do you consider to be the spawning month of the lobsters?—A. We get them with berries on the whole season, right through the season.

Q. Is there any particular time when there are more of them coming in?—A. I should say in July.

Q. Do you believe that the lobsters approach the shore for the purpose of spawning?—A. I could not answer that.

Q. They do come to the shore?—A. They do come towards the shore.

Q. And they come in shore in the warm weather?—A. Yes.

Q. Can you tell me what number of lobsters it takes here to fill a pound tin, what is the average?—A. It depends on the size.

Q. What is your average?—A. I do not know, we bought by weight this year, and I could not tell you the average.

Q. How many lobsters does it take to make 100 pounds?—A. By count?

Q. Yes?—A. It is pretty hard to tell that.

Q. Then give it by weight, you have no record of that?—A. No.

Q. Do you know how many lobsters it takes to fill a case?—A. I can tell you by weight, but probably the fishermen could tell you better.

Q. What amount does it take?—A. 240 pounds by weight on the average.

Q. Is there any time in the season when the lobsters are in better condition than at another time?—A. Yes.

Q. When are they at their best?—A. I should say about the 1st of July.

Q. They will yield more meat then than they will when you first get them in the season?—A. Yes.

Q. Can you give me any idea what will be the proportion at your cannery of lobsters under the 8-inch limit?—A. It is pretty hard to tell that, we never measure any.

Q. You take them as they come?—A. Yes.

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Q. Is there a large proportion?—A. If the law were strictly enforced as to the 8-inch limit where would it land you?—A. I do not know, I cannot say, we would have been all right this summer.

Q. They have run large?—A. We haven't taken any from the inside this year, they were all outside lobsters.

Q. Is it the case that the lobsters taken from outside in the deep water are better than those taken in shoal water?—A. I do not know about that, but the lobsters caught outside are better than those taken in the harbour.

Q. What time are they caught in the harbour?—A. At the same time as outside.

Q. Are they in there as soon as they are outside?—A. I think so, the fishermen can tell you better about that.

Q. You cannot give us any definite information about the size of the lobster?—A. No.

Q. Is the practice of stripping or washing the eggs off the seed lobster followed by the fishermen?—A. I could not tell you.

Q. In recent years, since the pound has been established here, I suppose all the berried lobsters go to the pound?—A. Except this year, a great many of them this year were thrown away.

Q. They were put back into the water?—A. Yes.

Q. Would it be difficult to tell at the cannery whether the lobster had been stripped or not?—A. Well, no, not if you examine them.

Q. Is it the practice to examine them to see whether they have been stripped?—A. No.

Q. Then again as to the matter of the size limit which is 8 inches, is it not?—A. Yes.

Q. If the canner refused to accept lobsters under that limit what would happen?—A. Well, I should say that the fishermen would feel the result.

Q. You think the fishermen would feel the result?—A. Yes.

Q. What price has been paid for lobsters here this season?—A. \$2.25 and \$2.50 and \$2.75.

Q. You have paid as much as \$2.75?—A. Yes.

Q. How was that, did they advance in price as the season advanced?—A. Yes.

Q. Who fixes that as the standard price? Do the companies generally fix it?—A. Generally.

Q. Is there any arrangement among the companies as to the fixing of that price?—A. Not that I know of.

Q. Was there any competition this year here, was that what led to the advance in price?—A. I do not know whether it was or not, I am sure I could not say.

Q. Were the fishermen satisfied with the price they got?—A. I could not tell you that.

Q. You heard no grumbling?—A. Oh, yes, there was grumbling.

Q. What was the price paid last year?—A. All prices were paid, I bought as high as \$4.

Q. What did you begin the season at?—A. \$3.75.

Q. And it went up to \$4?—A. Yes.

Q. What led to that rise, what was the cause of it?—A. Opposition.

Q. Can you tell me whether the regulation established as to the size limit is enforced in this division or not?—A. No.

Q. Has it ever been enforced to your knowledge?—A. I don't think.

Q. Everything that the fishermen brought in was received by the canner?—A. Yes.

Q. Where do you draw the line, what is the smallest run of fish that you will take?—A. We take everything that they bring along.

Q. Down to what size?—A. I could not tell you that.

Q. Down to four inches?—A. I do not think we come that small.

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Q. Where would you fix it?—A. I do not think they would stay in the traps that small.

Q. The statement has been made authoritatively that a strict enforcement of the 8-inch limit would put the canner out of business?—A. Well, if it would put the canner out of business it would put the fishermen out as well.

Q. But what about the canner, is the quantity of small lobsters canned here so great that if it were put into force it would shut the canneries up? You see we have the evidence of some of the canners in parliament last winter about that?—A. It would be a great hindrance.

Q. Is it the case that canners are compelled to accept undersized lobsters for fear of losing their fishermen?—A. I do not know.

Q. As to the matter of licenses, you are aware it has been the policy of the department to restrict the number of licenses; do you think there are canneries enough in existence?—A. Well, I think there are at the present time.

Q. Do you think there is any good reason why one man has not as good a right to get a license as another?—A. He has just as good a right.

Q. Do you think in that case it would be wise to insist upon a standard? It would not do to give a license to everybody that applied for it?—A. No.

Q. Do you think it would be wise to insist upon some standard of cannery that the cannery should be up to a certain standard and be prepared to can lobsters in a certain way so as to guarantee the quality of the pack?—A. Yes, I think so.

Q. How do you do with regard to your tables here, what are they covered with?—A. Zinc.

Q. I suppose it is necessary in a cannery to be particularly careful as to cleanliness?—A. Yes.

Q. What is the first point to look after in canning lobsters, what is the first consideration?—A. In regard to cleanliness, do you mean?

Q. What is the first thing to do? Is it to see that they are canned as soon after they are cooked as possible?—A. Yes.

Q. That is one of the first things to be looked after?—A. Yes.

Q. The meat must not lie about after cooking?—A. No.

Q. You are aware of course that the fishermen have complained that they did not receive as much from the canner, and that there is a good deal of friction on some parts of the coast, especially in Cape Breton, with regard to the matter, although it exists everywhere more or less?—A. Yes.

Q. Now the department to get over that difficulty, decided to issue a license to any group of fishermen who would get together and agree to co-operate, and in that way they have been issuing during the past two or three years, what they call co-operative licenses. Do you think that is sufficient to fill the bill, so far as the fishermen are concerned?—A. I should think so.

Q. Is it the case that a co-operative cannery has been running here?—A. I think this is the first year.

Q. Now, as to the remedy to be applied, a great many remedies have been suggested to the department. Some people say, those connected with the lobster industry say, that the right and simplest thing to do is to close down altogether for four or five years and allow the lobster to recuperate. What would you think of that?—A. I do not think that would be the right thing.

Q. What would be your reason for thinking that?—A. It would make pretty hard times for the first couple of years.

Q. The Lobster Commission of 1898, I do not know whether they came here or not, they went around collecting evidence and they recommended that temporary reserves should be established, that we should close down in certain sections of the coast, and move around that closed section gradually until the whole coast had been covered. How would that work do you think?—A. I do not know.

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Q. That was their recommendation at all events. Now other people have recommended to the department that they should reduce the size limit from eight inches to seven inches, they say that the fishermen would be more likely to be careful in not taking any under seven inches if the limit were reduced. But you see we began originally with a 9-inch limit, which was not enforced, and then they said, 'Give us an 8-inch limit and we will be careful and live up to it.' They have had that 8-inch limit and now they say it won't work, and they are asking for a 7-inch limit, how do you think that would work?—A. I think that would be all right, anything under 7 inches would not be worth anything to the canner.

Q. Well you do can under seven inches?—A. Only a few, that is very small.

Q. But what sized lobsters are they using where it takes fifteen or sixteen to a pound can? We do know that it would take nine 7-inch lobsters. It has been suggested that the size limit should be done away with altogether, as it is difficult to enforce it, and in fact it cannot be enforced, because you would require an officer in every boat to do so, and that the berried lobster should be strictly protected in some way, also that the season should be shortened by ten days or so. The easiest of all the regulations to enforce is the one affecting the season?—A. Yes.

Q. How would that appeal to you? These are all remedies that have been suggested to the department by various people?—A. It is pretty hard to say.

Q. Which of all these propositions do you think is the one that is going to attain the end desired, save the berried lobster and continue the industry?—A. I should say by saving the seed lobster.

Q. How would you propose to save her?—A. By putting her back into the sea.

Q. Have you any idea of the number or proportion of seed lobsters to every hundred lobsters taken?—A. I have not, the fishermen can give you that better than I can.

Q. What is the average catch each season of an active fisherman?—A. The average catch?

Q. Yes, the average catch of a good active fisherman?—A. I should say that is pretty hard to tell this year, but take a good season.

Q. You know what you have done and how many thousand pounds a good man has caught?—A. This year the average was small.

Q. Of course they began late and they lost a great deal of gear?—A. Yes, and the average was 3,000 pounds.

Q. And last year when you had a good year what was the average?—A. I should say the average for last year was 5,500 to 6,000 pounds.

Q. That is an average catch for a double handed boat?—A. Yes.

Q. Most of the boats here are fished by two men?—A. Yes.

Q. Has there ever been any export of live lobsters from this neighbourhood to the market, to your knowledge?—A. I think Mr. Baker has exported them.

Q. Have you any idea how it panned out?—A. No.

Q. Do the facilities exist here for shipping the lobsters alive to market?—A. No.

Q. There is no regular or fast communication?—A. No.

Q. Do you think the fishermen would make more money if they were allowed to can generally?—A. They can tell you that themselves, I could not tell you that.

Q. What is your opinion about that as a packer? Representing the packers you must have an opinion as to whether the fishermen would, as a rule, make more money by packing themselves?—A. I know they could not last year or the year before, I do not know anything about this year. High prices were paid last year, more than the packers could afford.

Q. Are you aware of any complaints by the fishermen that the price paid for lobsters by the packers was unsatisfactory?—A. Yes, they made complaints this year.

Q. Are you aware of any cases where fishermen have lost their catch of lobsters by the canners refusing to accept them?—A. No, I have not.

Q. It has been alleged that, in some cases, the fishermen have suffered injury by the failure of the canners to operate their canneries although a sufficient supply of

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lobsters was available. Are you aware of any such instance where the canner, although he held a license, has refused to operate the cannery and thereby put the fisherman out of a market for his lobsters?—A. I am not aware of any.

Q. You are not aware of any such case?—A. No, I am not.

Q. As to this matter of pounds, do you know anything about them, have you ever seen the pound yourself?—A. No.

Q. What is your impression with regard to the pound? Do you think that the pounds should be increased in number and more of them established wherever the natural conditions exist to enable them to be operated successfully? Of course it is not everywhere that those conditions are to be found.—A. I could not say, I do not think the pound is of any benefit to the fishery beyond a certain distance on either side.

Q. You think that the lobsters should not be carried too far to the pound?—A. No, they should not, because they will not live.

Q. Otherwise do you think there is anything in getting the fishermen to save the berried lobsters and having them put in the pound? Do you think that is one way of improving the lobster industry?—A. I could not say.

Q. Do you know enough about the hatchery to express an opinion?—A. No, I do not.

Q. Do you think more hatcheries should be established on the coast?—A. I do not know anything about it.

Q. Do you know that there is any packing or fishing done out of season?—A. No.

Q. There is no illegal packing done as far as you know?—A. No.

Q. Do you think that the stamping of cases prevents fishing and packing out of season?—A. I should think so.

Q. As to this matter of fishing in bays and lagoons, there are many cases where lobsters are taken inside lagoons after the fishing is practically over, at the Magdalen Islands, for instance; have you ever been there?—A. No.

Q. There are lagoons and bays there in which no fishing is allowed, and the lobsters come in there late in the season. Do you think that in that type of lagoon fishing should be carried on, it is only carried on there late in the season?—A. I do not know; what do they go in there for, is it to shell?

Q. They go in there to shell and also to spawn. What is the average price paid to sealers and hands in the cannery here? What is the sealers' wage, is it about \$35?—A. Yes.

Q. Is he boarded at that?—A. In some factories he is and some he is not.

Q. Where he is not boarded he receives more wages to compensate him for that?—A. Yes.

Q. What wages are paid to the girls?—A. \$10 per month.

Q. Are they all paid by the month in your case?—A. Sometimes they are paid 50 cents a day.

Q. What number of girls do you employ here?—A. 7 or 8 and sometimes more.

Q. Is there any other packers' representative present who can give us an idea of how many lobsters run to the pound tin here?—A. Mr. Bagnall may be able to tell you.

Witness discharged.

GEORGE BAGNALL, packer, Gabarus, called and sworn:—

By the Commissioner:

Q. Up to this year have you always been engaged in lobster fishing?—A. Not in lobster fishing. I never was a lobster fisherman but I have been connected with the lobster industry since 1874.

Q. In what capacity?—A. I was working with Mr. H. E. Baker sometimes buying lobsters for him, but as a sealer most of the time.

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Q. Have you been engaged at this work of buying lobsters and sealing at other stations than Gabarus?—A. Yes, I worked at one station two seasons for Mr. H. E. Baker up at L'Archeveque, Richmond county, and I was also buying lobsters, crating and sending them for Mr. Baker from Scatari and back at Glace Bay, and I was about 10 years on Scatari and these two last years I was at Mulgrave shipping live lobsters from that to Boston.

Q. We will touch on the live lobster trade afterwards, but in connection with the canning industry in your experience how do the fish run to-day as compared with the time when you first began your connection?—A. Well, it will take quite a number more to fill a pound can now than when I first commenced.

Q. Do you think that the fishermen, as a rule, are fishing more gear now than they used in the early days?—A. There is more gear used now than in the early days.

Q. There are a great many more fishermen, but do you think the individual fisherman uses more gear?—A. Yes, a great deal more gear than in the olden days.

Q. What was the amount of gear used in the old days?—A. I could not tell you.

Q. And in the old days they used the old double-ender trap; when did that go out of fashion?—A. It is hard for me to say.

Q. Is that trap known as the parlour trap used here now altogether?—A. Yes.

Q. What is the particular merit of the parlour trap over the other traps?—A. The fishermen can tell you more about that than I can but the idea is that when the lobster gets into the parlour trap it is more difficult for him to get out.

Q. Their merit, as I understand it, is that the fisherman, if he is unable to fish his traps regularly, knows that the lobsters cannot escape as they did from the old traps?—A. Yes, that is the idea.

Q. With regard to the price paid for lobsters, what was the price paid when you were first connected with the industry?—A. Fifty cents.

Q. Was that by the hundred count?—A. By the hundred count.

Q. How long before the price began to rise?—A. Some two or three years; it gradually rose from 50 to 60 cents.

Q. And the price gradually advanced up to the point that it reached the year before this, which was the highest point it ever reached, was it not?—A. I have paid higher for lobsters than what was paid here at Gabarus last year. I have paid as high as \$5.

Q. When would that be?—A. That would be about five years ago, but it was only for a little while.

Q. What led to that high price?—A. Opposition.

Q. The demand for lobsters? Was there a scarcity at the cannery and in the market?—A. Oh, the canners got their backs up, one against the other.

Q. And the price went up to \$5, but only for a short while?—A. For a short while.

Q. Was that general over the coast or only in a particular locality?—A. Only in a particular locality.

Q. Can you give us any idea of the value of lobsters per case in those early days? What were they worth then; what was the market price of the canned article?—A. That is something I cannot tell you because I do not know. I know at times canned lobsters were only worth \$6 a case, that is what the packers say.

Q. They were in the early days about \$6 a case, I think, and they have been sold as low as \$5 in some places; we have evidence of that?—A. Yes.

Q. Is it the case that along this shore the gear is owned generally by the fishermen?—A. Well, there have been seasons here when the packers owned the gear, although some of the fishermen owned their own gear. This season I think the fishermen all owned their own gear.

Q. What is the difference in the price paid to the fisherman who is fishing his own gear and that paid to the fisherman who is fishing the factory gear?—A. I could not tell you; the fishermen will be able to tell you that.

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Q. During the time you were engaged in smacking what was the practice? Was it your practice then to take everything the fishermen gave you?—A. There was one season I was at Scatari we observed the size limit to the letter.

Q. Can you give us any idea what year that was, or about the year?—A. It was the first year the union was formed, I think it was about five or six years ago; that was the only place that I know of, Scatari, where the size limit was observed strictly.

Q. It was observed strictly?—A. Strictly.

Q. What led to that regulation being observed that year?—A. The union had just been formed, and it was a part of their charter to observe the law; the packer paid them a pretty high price, it was a nice price, and they were to observe the law and did so.

Q. Do you know what the price was?—A. \$3.50.

Q. Now as to the berried lobster, what was the practice with regard to that?—A. The practice then was to sell the berried lobsters to H. E. Baker and ship them from Scatari to the pound at Fourchu.

Q. Is it to your knowledge in your experience that the berried lobsters were stripped by the fishermen?—A. Yes, I know they were stripped.

Q. Was it the practice to bring them to the cannery?—A. Yes, in the early days.

Q. In those days did the canners make any objections to receiving them?—A. They did not make any objection because we did not examine the lobsters and did not notice them.

Q. As to discriminating, is it an easy matter to separate the berried lobsters in the cannery?—A. That is when they are brought in with the berries on them?

Q. Yes?—A. Certainly.

Q. Is it a difficult matter to cull them out?—A. No, it is not a difficult matter.

Q. Where is the right place to cull them?—A. When they come out of the trap.

Q. Have you any idea at all, though you have not fished lobsters you have been smacking them and you might know, as to the percentage of berried lobsters?—A. No, I could not say about the percentage.

Q. In connection with smacking, can you give me any idea as to whether the run of lobsters you took was better when they were fishing in the early part of the season off shore than it was later on in the season when they were fishing in shore? What would be the facts of that matter?—A. The lobsters, I just bought them at Scatari and shipped them, and the average weight of the lobsters was rather better later on in June and the first of July than it was in the month of May.

Q. They were fuller?—A. Yes, they were fuller.

Q. But what I want to know is as regards the size of lobster.—A. In the month of May and the first part of the season you will get the best sized lobsters, the most large lobsters.

Q. Is it the case generally that late in the season and when fishing in shoal water you will expect to find a smaller run of lobsters than you would early in the season when you are fishing off shore?—A. That is something the fishermen would answer better than I can.

Q. But if you were smacking them you would know.—A. I know that going on in July in some parts of the season, the latter part of June and early in July the lobsters are smaller, and then again coming on the end of July we get just as good lobsters as in the beginning of the season.

Q. Do you see a larger proportion of soft-shelled lobsters in July than you do early in the season?—A. We do not see many, but I have seen some.

Q. What were the regulations when you first began?—A. Take all.

Q. What was the season then?—A. Commence when you could and knock off at the 20th of August, and remain off for one month until the 20th of August, and remain off for one month until the 20th of September and then commence again.

Q. What was the fishing like after the 20th of September?—A. Good.

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Q. How were the lobsters then, how did they run, were they good sized, in good condition and good meat?—A. They were good size and good lobsters.

Q. Now as to the matter of returning the berried lobsters to the water, do you think it would be a serious loss to the fishermen generally if they followed that practice?—A. I do not think it would be such a serious loss to the fisherman because he has been doing it this season, the company I packed for was a co-operative company, and we got to work and put the berried lobster away.

Q. The percentage of berried lobsters up on our coast is not so large that it would mean a very serious loss to the fishermen who threw them overboard?—A. No.

Q. And they would ultimately be the gainers themselves by the practice?—A. The men themselves might not, but their children hereafter might.

Q. Well, if the lobster grows at the rate of two inches a year, as we know it does, it would not take it very long to reach the full size?—A. I know it would be a great deal better for the industry than to confine the berried lobster in a pound because there is a large number of them die before they get to the pound, and quite a number also die after they reach the pound.

Q. What would you think of the proposition requiring the canner to pay an increased fee instead of the 2 cents per case as at present, and in that way realizing a fund for the purchase of the seed lobsters from the fishermen?—A. I could not say anything about that.

Q. Would you, as a canner, be prepared to pay an increased fee?—A. The way I am situated I am only with a company who are packing lobsters; we are packing our own lobsters; we buy no lobsters.

Q. But still you would be required to pay an increased fee, whatever that may be, if it is decided to purchase the berried lobsters for the pound or for the hatchery. Do you think that the industry will stand the higher fee?—A. That is something I do not know about.

Q. Now, then, as to the matter of licenses; you know that in the early days every one used to get a license, and there were a great many more canneries then there are now; a great many people have gone out of the business; in recent years the practice of the department has been to restrict the number of licenses and no new licenses have been issued because people said there were enough canneries in existence. Do you think that the number of canning licenses should be restricted?—A. I think not.

Q. Would you give a canning license to any man that applied for it?—A. Any man that is in a position to put up a factory and run a business should get a license.

Q. Then you would require to impose stricter conditions?—A. Yes.

Q. What should those conditions be?—A. If that man was not capable himself of running the business let him hire a foreman that knows the business who could run it for him and see that the goods are put up in good condition.

Q. Would you restrict the number of cases that he should pack?—A. I do not think that he should be limited to any particular number of cases, or to any number of lobsters any more than the fisherman should be restricted as to the number he should catch.

Q. You see the policy of the department, since it has become clear there was friction between the fisherman and the canner, has been to give a license to a number of fishermen to co-operate. I suppose it is under that plan you came together?—A. Yes.

Q. Do you not think that will cover the complaint of the fishermen as long as that is done?—A. I think that is a very good plan wherever 15 men unite together.

Q. How about that number of 15? That was fixed by the department, it is understood, because the Nova Scotia Act required at least 15 fishermen to form a union?—A. Yes, and as many more as choose to join; there were 19 in the case where I was interested.

Q. Should the number be reduced? Is 15 too large a number, or would you cut it down?—A. Well, if you were to reduce it to say 10 or as many more as liked to join.

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Q. You think the limit should be put down to 10?—A. I think it would be as well perhaps to put it at 10.

Q. Do you not think that it would be right and proper for the department to insist upon a certain standard of cannery, that the lobsters should be put up in a certain way, and that there should be a certain guarantee as to cleanliness?—A. Certainly I think so.

Q. You would want a guarantee that there were suitable arrangements for washing and cleaning?—A. Yes, because if they are not put up clean, if they are not in good condition, the meat is not fit for the market.

Q. Do you think there is any reason why the product of the lobster cannery should not be subject to inspection the same as other products? Our pork, butter, cheese and canned meats of all kinds are inspected to-day, and about the only canned product that is exempt is the lobster?—A. Well, the man that buys them generally inspects them.

Q. But that is not an official inspection?—A. Oh, no, but there might be an official sent to inspect them, and he might not know as much about them as the man who buys them.

Q. He would have to be an expert of course. Now, as to the price paid for the lobsters, who fixes that generally, and how is it fixed?—A. It has generally been fixed by the packer; I do not mean the foreman, it is done at headquarters.

Q. Do you think there has been any combination among packers generally?—A. Well, I do not think there has been generally until this season.

Q. Is there any particular fact which gives you reason to think so or to say so?—A. There is, because the foreman came here and set one price and no man would differ from that, although we naturally knew he could give more; so that caused me to believe that there was a combine between them.

Q. But you do not think that condition existed until this season?—A. No.

Q. From what you say there must have been some competition in other years?—A. Of course, in other years there has been competition.

Q. What is your opinion as to the strict enforcement of the 8-inch limit? How would it affect the canner here?—A. Well, it would affect the canner quite a lot.

Q. What percentage of the lobsters would you say are below the 8-inch limit?—A. It is pretty hard to say; I never measured or kept account of it, and when a man does not measure or go into details he cannot say.

Q. In your case this year what was the run of lobsters? How many did you average to the pound can?—A. 231 pounds to the case.

Q. Can you tell me how many lobsters it takes here to make a hundred pounds in weight?—A. I cannot.

Q. You have no idea how many lobsters it takes to make one hundred pounds in weight?—A. No, I cannot, I never kept count of it, and I never heard the fishermen say anything about it.

Q. They generally know those things at the cannery where they weigh and count them sometimes?—A. I do not weigh them.

Q. Do you know it is the case the canners are compelled to accept undersized lobsters for fear of losing their fishermen? They tell us if they do not take them the fishermen will go somewhere else with their catch?—A. That is just about the way it is.

Q. Is it a fact that the fishermen expect the canners to take everything they bring?—A. Yes.

Q. And the size regulation has never been enforced?—A. No, and the canner expects them to bring everything they catch, and if they do not, he does not like it.

Q. What is the first consideration towards the protection of the lobster industry?—A. You can protect the berried lobster best when she comes out of the traps, by putting her back again in the water.

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Q. And do you think that to do so would be a very serious loss to the fishermen?—

A. It would be some loss to the fishermen, but the government has been in the habit of paying one single individual to take these lobsters and look after them, where if there was so much bounty allowed to the fishermen they would put them in the water.

Q. How would you keep check on the fishermen?—A. It would be kept all right if one of our men, the smackman, or some other man, when the lobsters were brought to him, would keep a record of the number and put them back in the water, or else give each fisherman a lump sum bounty.

Q. It has been suggested that all lobster fishermen should be licensed, that they should take out from the fishery overseer at the opening of the season, a printed form which constitutes them licensed fishermen, there would not need to be any fee for it, it could be done without that. The impression seems to be that if the fishermen took out a license in that way, they would feel themselves to be fishery officers on a small scale, and be more likely to observe the law themselves and to see that others did. Do you think it would work out that way?—A. I could not say.

Q. Do you think that a fisherman holding a license form of that kind, would be more likely to live up to the regulations than he would be if he hadn't it?—A. I could not say about that.

Q. What do you think of those various propositions that I have referred to which have been made with a view of improving the fishery? The first one is that fishing should be stopped altogether for a term of years?—A. If fishing were stopped altogether, there would be a lot of men thrown out who are not in a position to go to work at anything else just then, and it would be a great loss.

Q. Are there any other fisheries that could be carried on at the same time?—A. There is the cod fishery, but we would have to go to the expense of boats and fitting out for that fishery.

Q. Are the boats used for the lobster fishery of any use for cod fishing?—A. No.

Q. Are most of those who fish lobsters regular fishermen?—A. There are some who fish lobsters who go farming, and then more go to the cod fishing.

Q. In many places, take in New Brunswick for instance, there are a lot of lobster fishermen who are not fishermen in any other sense?—A. There are some in Richmond county in the same way.

Q. You think that would be a pretty severe measure to shut down altogether?—A. Yes.

Q. Then the Lobster Commission of 1898 recommended that we should shut down by sections, taking one or two counties at a time, from year to year until the whole coast had been give a close season.—A. I think that would be too hard too.

Q. There are various propositions which have been made, one is to do away with the size limit, which is advised on the ground that it never has been, and cannot be enforced.—A. That is what I say, do away with it altogether.

Q. You think it is very difficult to enforce it?—A. Yes, it is.

Q. And it is suggested that at the same time we should strictly provide for the berried lobster one way or another.—A. We should strictly provide for the protection of the berried lobster.

Q. And in addition to that it is proposed that there should be some shortening of the season?—A. Our season is short enough as it is, we do not want any shorter season than what we have now because we are not able to get out sharp at the first of the season.

Q. All over the Gulf it is the same way.—A. And the lobsters are in as good condition at the last of July and the beginning of August as they are at any other time of the season.

Q. What do you think of that other proposition, to reduce the size limit to 7 inches and try to enforce it? Do you think it will be lived up to any more than the 8-inch limit has been?—A. No, I do not think it would be enforced or lived up to any more than the 8-inch limit has been, that is my opinion.

SESSIONAL PAPER No. 22a

Q. I think you told us you were a member of one of the co-operative concerns?—
A. Yes.

Q. Is there any Fisherman's Union in this place?—A. Well, it is not organized, we have no charter.

Mr. H. C. GUNN, President of the Fishermen's Organization—It is hardly a Union in the regular sense, it is merely a local assembly of fishermen having no connection with any other Union. We have no charter.

Q. Are you aware of any complaints made by fishermen that the price paid for lobsters by the canners is not satisfactory?—A. There were complaints made this season..

Q. Were they made before this season?—A. Some used to make complaints before that they did not think they were getting as much as they should, because some men got a high price and others not as high a price.

Q. The price was paid by weight, was it not?—A. By count, mostly all around here.

Q. Up to when did they pay by count?—A. Up to this season.

Q. You are paid usually by count here?—A. Yes.

Q. Is it altogether by count, or are some paid by weight?—A. Mr. Baker all the time pays by count here, and at the other place they pay by weight. Up in Richmond County he pays by weight and by count.

Q. That was a matter of arrangement between the fisherman and the packer?—
A. Yes.

Q. But up to this year there was no general complaint that the prices were not satisfactory?—A. No general complaint, no.

Q. Who are the packers in this place who are licensed?—A. The H. E. Baker Company, Mrs. Winton. Mr. Smith is packing on Mrs. Winton's license.

Q. The license is not issued in his name?—A. No.

Q. Who else is packing here?—A. On the north side there is a man named John Abel.

Q. And then there is the co-operative license, to whom was that issued?—A. To Joseph Grey and George Bagnall.

Q. Does that take in the whole of the canneries in this neighbourhood?—A. Yes.

Q. Have there ever been more canneries than there are now?—A. No.

Q. Are you aware of the fishermen having suffered injury by the failure of canners to operate their canneries for which they held licenses?—A. No, not that I know of.

Q. Would the fishermen in this neighbourhood find any market for their lobsters if the canneries were closed?—A. Not in live lobsters.

Q. You have had to do with the live lobster industry, what is your experience of that?—A. A great loss.

Q. To what do you think that loss was due?—A. The lobsters had to be carried too far, and there are not proper facilities for carrying the lobsters. The lobsters from here were carried by steamer to Mulgrave, put in cars there and then sent to Boston. I have received a complaint that there were over 4,000 large ones, and 1,300 mediums dead in one shipment. That is 4,000 over 10½ inch and 1,300 over the 9 inch limit.

Q. Why was that distinction in size made, were they for two different markets?—
A. Yes.

Q. That is one size was for New York and the other for Boston?—A. They both went to Boston that year. We used to ship to New York, but we shipped them to Barclay Clements & Co. of Boston, and Price & Mahoney.

Q. Which branch has been the most remunerative to the fishermen, the live lobster trade or the canning business?—A. The live lobsters, if you can ship them, are the most profitable.

Q. Have you any idea of the price that live lobsters brought per crate? How many did you put in a crate?—A. The first season we used to put about 100 to a

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crate, which was a small sized crate. The next year we had large crates and a special car, and we used to put 135 and 140 large lobsters, and 200 medium in a crate.

Q. Is it the case that berried lobsters that have been stripped will not do for shipment alive, are they more delicate?—A. They die shortly after they are stripped.

Q. Now, as to this matter of hatcheries and pounds, have you been to the pound, do you know anything about it?—A. I have had a month's experience in the pound myself.

Q. Have you ever carried lobsters to it, what is your impression of it?—A. That it has not benefitted the lobster industry.

Q. For what reason?—A. So many of them die when you have to carry them all that distance, and after they get there many die, I am going on what people who work at it tell me, that there is a small percentage of them live.

Q. What is done with the lobsters that come out of the pound?—A. They are put out around the coast.

Q. Are they careful to put them back where they came from?—A. That I could not tell you.

Q. We have heard complaints in some places that they come and gather them up from those places but they never take them back?—A. I do not know anything about it.

Q. Do you know anything about hatcheries?—A. I have no experience in that line.

Q. Do you think that the style of trap used makes any difference?—A. The style of trap?

Q. Do you think that we should insist upon a standard trap, that is to say that there should be a certain space between the slats? Do you think if we do away with the size limit that we could provide for the escape of the very small lobsters by insisting upon a certain distance between the slats—A. Well, a very small lobster could get out of the trap as it is built.

Q. Will a 7 inch lobster get out of the trap that is now in use?—A. No.

Q. Will a 6 inch?—A. No.

Q. What about a 5 inch lobster?—A. I could not tell you about that, the smallest lobster I have seen here this year measured 6 3/16 inches, that was on the smack that Mr. Halkett was on.

Q. Have you any idea of the market price of lobsters, what are they worth this season?—A. I could not say as to their value in the market, but I know what we received for ours. We sold to Mr. Smith, but as to the actual value in the market, I could not tell you.

Q. What do you think of this method of labelling the case, does it serve any good purpose?—A. That is putting the stamp on them?

Q. Yes?—A. Well, that prohibits illegal fishing and packing.

Q. Is there any of that done?—A. Not around here.

Q. Has it ever been done?—A. Not around here that I know of.

Q. Do you know anything about that matter of fishing in bays, lagoons and shoal water, in places inside where the lobsters seem to take refuge?—A. No.

Q. There is none of that fishing done here?—A. No.

Q. I do not know of anything else I want to ask you, is there anything else you would like to say, if there is we would be very glad to take it?—A. I have nothing more to say.

Witness discharged.

JAMES McDONALD, fisherman, Gabarus, called and sworn:—

By the Commissioner:

Q. Have you always fished here?—A. Yes, I have always fished around this district.

SESSIONAL PAPER No. 22a

Q. How many years have you been engaged in the lobster fishery?—A. Well, I have been 25 years in it anyway.

Q. During that time have you engaged in any other fishery?—A. No, only in the lobster fishing season, unless I might put out a net or something like that.

Q. But that would be after the lobster fishing is over?—A. Yes, I generally fish in the fall again, along from the 15th or the 10th of August, and fish out the season.

Q. How late does the season run here with you?—A. About the last of November.

Q. You fished up to the last of November?—A. Yes.

Q. What is the last fishing you get, cod or mackerel?—A. The cod fishing, and sometimes I do a little mackerel fishing.

Q. Now we would like to know something about the methods of the fishery. When as a rule do you begin the lobster fishery, one season with the other?—A. Our season here opens on the 1st of May but it is not very often we have been able to set out at that time. It is mostly along about the 8th and 10th of May before we can begin, and some seasons we have been very late.

Q. Does it ever run into June?—A. Yes, I think—well, we never ran as far as June without putting out our gear, but we have put out our gear and lost it, and we did not do but very little until the 7th of June two years ago.

Q. Then, when you begin fishing, in what depth of water do you generally set your traps?—A. I generally set mine in late years in about from 7 to 12 fathoms.

Q. Do you fish farther out in recent years than you used to when you first began?—A. Oh yes, a lot farther.

Q. 7 to 12 fathoms of water would put you how far off shore?—A. Not very far, perhaps a third of a mile or so.

Q. How long do you fish in that depth of water?—A. We fish there up till about the 15th of June, sometimes, although the lobsters come closer in shore before that time occasionally.

Q. And then you move in?—A. Sometimes, and sometimes we still fish off shore.

Q. It depends altogether on the lobsters?—A. There is a lot in what the season is like, if the weather is rough the lobsters seem to keep off.

Q. Do you notice much difference in the quality of the lobsters now compared with the time when you first began? How do they run, were they more numerous then or now?—A. When I first fished lobsters no man was allowed to run a string of gear along the shore where now I have seen as high as probably 7 or 8 strings, so that you could not expect the lobsters to be as plentiful now as they were then; but I think if I were to go to the place where I used to fish then with only myself there, and only running one string of gear I would do as well pretty nearly as I did then.

Q. Would you expect the lobsters to be as large?—A. Yes, in the spring of the year, in the month of May when I first set out my traps. I never got a better average of lobsters in my life than I got 2 years ago.

Q. Could you give us any idea of how they run here, of how many lobsters it takes to make 100 pounds in weight?—A. Well, I have not had much experience with weighing or counting them. I weighed a few lobsters this summer, but two years ago I weighed and counted for about a week in the first of the season, and I think they ran, the lobsters I weighed for a week or for 7 or 8 days, somewhere about 95 lobsters to the 100 lbs.

Q. That is a good run of lobsters?—A. Yes, but mind you that was in the spring of the year when we were getting large lobsters.

Q. How would they run in the latter part of the season?—A. In the latter part of the season when the lobsters come into shoal water they are smaller. I should say that sometimes it would probably take as high as 140 lobsters to make 100 lb. weight.

Q. Can you give me any idea of the percentage of lobsters below 8 inches?—A. Well now, not very well, but after all there are not very very many lobsters taken below 8 inches, I should say perhaps one-sixth.

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Q. In some places they tell us that if the 8-inch regulation were strictly enforced it would put the fisherman and the canner out of business, but it would not have that effect here?—A. It would be pretty hard on them; take a man that catches 6,000 lobsters and he has to heave away one-sixth of them when he is getting \$3 a hundred for them, and you can easily see what you are asking him to heave away.

Q. What is the average catch of an active fisherman, one year with another? Of course this year was no test.—A. Oh no, it is no use taking this year's catch at all because the men did not fish over one-half the season, I think. Well, some years they catch along from 9,000 to 12,000.

Q. From 9,000 to 12,000?—A. I should say so.

Q. That is by count or by weight?—A. I always sell by count myself.

Q. You sell by count?—A. I always sell by count. I have fished lobsters for a long time and if my memory serves me right I do not think I ever went under 8,000.

Q. Do you fish more gear now than you used to when you began to fish?—A. Yes, sir.

Q. Of course there is a great deal more gear in the water and more fishermen?—A. When I fished first I generally fished about 110 traps, and I have fished 140 and I do not know but possibly I may have fished 150 some years.

Q. That is with a two-handed boat?—A. No.

Q. You fished that number alone?—A. Alone.

Q. What idea can you give me as to the decrease in the annual catch, how does it compare now with what it used to be? Are they running smaller on the whole?—A. Do you mean the lobsters?

Q. Yes?—A. Oh well, I think they are.

Q. Is there much difference between the catch made in the early part of the season and that made in the latter part of the season, especially with those who move in shore?—A. Yes, the month of May, when we first set out I think that a man, if he got fine weather and had good bait, could get nearly double what he would get in the latter part of the season. He can do fully that, and probably more than that as compared with what he could get in the latter part of July.

Q. Is it your experience, one place with the other, that the lobsters run smaller, late in the season and in shoal water?—A. Yes, they run smaller, you cannot take as many large lobsters out of the hundred, not anything like as many, not more than one half in July, as you could in May.

Q. I suppose it would be only reasonable to expect that you would not because the large lobsters are caught off outside at first?—A. I think there is more than that, I do not think that the large lobster traps as well then.

Q. To what extent would you say that the amount of gear has increased? Is there twice as much gear in the water now as when you first began, or more than that?—A. Indeed there is twice as much as when I began and three times as much.

Q. Is it still increasing?—A. I do not know that it has increased much for this last 8 or 10 years.

Q. Now tell me, in connection with the diminution of the lobster fishery, do you think that occurred years ago, or is it still going on? A great many people tell us that it reached bottom some time ago, that the diminution during the last five or ten years is not so great as it was before that, in fact they say that it has stopped decreasing. What is your opinion?—A. That is the lobster?

Q. Yes, they say that the damage was done years ago and not recently, that the fishery is not decreasing at the present time?—A. It has been steady since I was fishing, or say for the last 25 years.

Q. What is the price paid by the packer here for lobsters by count?—A. By count? Oh, they pay different prices. When I first started lobster fishing here I was paid 50 cents; I did not fish this summer, now I always fish the packer's gear, I never had my own, and I was paid all the way up from 50 cents to \$2, and, I think, \$2.65.

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Q. And that was always by count?—A. Always by count. The price varied, sometimes they would go up to \$1.75, \$1.80, \$2.00 and \$2.25 and so on until it came up to \$2.65, that was the highest I ever received.

Q. Where did you fish this year?—A. Well, I did not fit out for lobster fishing, the packers gave up fitting out gear.

Q. Who is that?—A. The H. E. Baker Company. They gave out that they were not going to fit out any gear, I did not fit out gear myself, I attend to the light over here and it was kind of late when I heard from the Department, and then the packers came down and offered such a low price that I thought it was better for me not to touch it. I could have fished, but I thought it was better not to, there was not any money in it for me to fish.

Q. Have you any idea of what those receive who fish by weight?—A. Yes, they received last year here, that is out where I fished, as far as I can understand, and we had the prices hung up in the camp for all hands to look at, and \$4.05 was hung up I think, that was the best we received.

Q. \$4.05, as high as that?—A. Yes.

Q. Was that the highest point you had ever known the lobsters to reach?—A. That is the highest point I have ever known the lobsters to reach here, that is to be confident of it; of course I have heard of this one getting more and another one getting more, but I am not going to tell you that for truth.

Q. Do you think there is any competition in the matter at all? How is the price fixed for lobsters, is it established by the canner; is there any bargain at all between the fisherman and the canner or is it simply an arbitrary price fixed by the canner that the fisherman has to take or leave?—A. Of course when the packer offers a man a price, that man must take the price or leave it, he has no power to make the packer give more.

Q. Is there any competition among packers? Do you find fishermen leaving one packer and going to another because they get more?—A. I think there used to be a little of that done, but for my own part I never did it.

Q. You were always satisfied to stay where you were?—A. Whether I was satisfied or not, I stayed there.

Q. But you think there has been some of that?—A. Yes, my memory leads me to believe that there has been some of that done.

Q. What do you think in regard to that matter of licenses? It has been the practice of the Department for years back to restrict and keep down the number of licenses, the idea not having been so much that they wanted to reduce or cripple the industry, but rather with the idea that by keeping down the number of canning licenses it would check the exhaustion of the fishery. Do you think it had that effect?—A. Oh no, it did not hinder the fishermen from fishing because all those who could fish were at work, and if there were more canneries in operation that would not make any more fishermen.

Q. They would simply have to be divided up more, you think?—A. Yes.

Q. Do you think there is any reason why the number of canneries should be limited?—A. I do not see that there is, provided a man is able to put up a cannery and go to work and pay the fishermen for their lobsters. But I know they do not always do that and I guess that was one thing that led to this restriction being put on the number of canneries.

Q. There were at one time a great many more canneries than there are now?—A. Well, there were never more here that I know of.

Q. Of course you know there has been friction between the fishermen and the canners in some places?—A. Yes.

Q. The fishermen complain that they have not had a fair show. Do you think that the present policy of the department, by which a license is given to a number of fishermen who combine together, will put an end to that dispute and furnish the

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fishermen with the necessary outlet?—A. I should think it would, I do not see why it would not.

Q. Do you think that the number of fishermen combining to get a license should be kept as high as fifteen. Would you put it at a lower number than that?—A. I would suppose that there may be in some places a body of fishermen not as numerous as that who want to pack, but you know when there is a small company there is a lot of expense. You see that they have to run a smack or two smacks and employ so many men, and all that expense has to come out of the lobsters. Of course there may be lots of fishermen who may be able to pack in some places where they would be nearer together and they would not have to run their lobsters so far.

Q. Do you think that a small number of men would be more apt to agree and pull together harmoniously than a larger number?—A. I should think that if the number were placed at 10 it would be all right.

Q. Do you think the female lobster comes in shore to spawn?—A. Yes, I do, she comes into a certain depth of water.

Q. Have you ever remarked the size of the female lobster bearing eggs, what was the smallest one you ever saw?—A. In general they are not very small, but they may occasionally see a small one, one out of 100 or 200. You may see one probably as small as 6 or 7 inches occasionally but it is only an odd one.

Q. Have you any idea of the proportion that the egg-bearing lobster bears to the total catch? Out of every hundred lobsters how many would have the eggs on them?—A. I think, I have saved the seed lobster for a good many years and of course I cannot say exactly, but I think they would not run much over 10.

Q. 10 seed lobsters to the hundred?—A. To the hundred. That is to say 1,000 out of 10,000. I do not think they would go much over that.

Q. Within your experience what has been the practice with regard to berried lobsters, have they been saved, or have they been landed at the cannery, or have they been stripped? What has been done with them generally?—A. Everything has been done with them.

Q. That is my own experience. I have been 32 years now at this work so that I know a little about it. There has been no attempt to protect them generally, until recently when they have been sent to the pound.—A. Of course they were protected then about as well as they could be, because they were worth a little shade more to the fisherman. There was a time when I guess that was about the most interest a fisherman had in the seed lobster, because they were worth a couple of cents more if saved in that way.

Q. How long since Mr. Baker established that pound?—A. That is more than I can tell you. I expect it has been there 9 or 10 years I should say.

Q. He ran it without any connection with the government at all at the first, did he not?—A. I could not tell you.

Q. I think it is only in recent years that the government has been paying him for the lobsters?—A. I expect the government paid for the lobsters in the first place, but I think the pound probably belongs to himself.

Q. It belongs to him yet?—A. Yes.

Q. He is leaving the country, I believe, and I understand he is trying to sell the pound to the government now. I understand there was an officer stationed there this year, Professor Halkett, to watch the pound and observe the conditions there. Did the cannery ever object to receiving berried lobsters?—A. Oh yes, they did.

Q. They did object?—A. Oh yes, they did object to receiving them.

Q. When did they do so, and for how long?—A. For years before that, I could not tell you just how many years, but for 2 or 3 years before that pound was established.

Q. They refused positively to take them?—A. Oh yes, they refused to take the spawn lobsters.

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Q. Was that what led to the practice of stripping them?—A. I guess so.

Q. Was it the practice then to avoid dealing with the canner who was known to be scrupulous on that point, and to go to others who were less careful? Some cannery tell us that they tried to live up to the law but that when they did so they lost their fishermen who went somewhere else.—A. I would not think he had much to do with it, because there was always a fishery officer to go around, and if he saw spawn lobsters I couldn't tell you what he would do.

Q. Was anybody ever fined?—A. Yes, I have known the packer to be fined several times.

Q. Have you ever known the fishermen to be fined?—A. No, I did not. It is pretty hard to fine the fisherman because he would not be foolish enough to go ashore and get an inspector in his boat.

Q. In the light of your experience what would you suggest as the best way of taking care of the berried lobster? She seems to be the most important point in fact the crux of the whole affair, it all centres on her protection. Now what do you think should be done?—A. There is no doubt about it, every man in this building should know that there is no better way than to put her back in the water right out of the trap.

Q. Why is that not done?—A. Because the Government provided this pound and is paying for it, and of course the lobsters were sold to Mr. Baker and the fisherman was receiving a little larger price for them than he was getting for the other lobsters, and you will never find a fisherman so well off but what he needs every cent he can get, and I guess that is about what led to it.

Q. I understand some of the fishermen refused to sell to the pound?—A. They never refused. I do not know of any fisherman that ever refused until this year, and this year they did not agree with the packers at all, and they refused to sell to the packers any lobsters this year, and when they refused to sell the other lobsters of course they refused to sell the seed lobster. They took that much from the Union, it was in the charter of the Union that they were to keep the law, and I suppose they borrowed that much from the Union; I understand that the charter of the Union says that they should not or ought not to take the berried lobster.

Q. Those fishermen who are members of the Union were obliged by their arrangement to do so?—A. Yes.

Q. Do you think that the best way to deal with the seed lobster is to put her back in her natural element where she comes from?—A. I think that is the best way, and that she will do best under those conditions.

Q. What can we preach, not here only but everywhere, in order to get the fishermen to do that? Some people have said that if you sent someone down to talk with the fishermen and explained to them the necessity of protecting the berried lobsters and the great gain they would ultimately make if they did so.—A. I think that would only be a waste of time.

Q. You think they know that already?—A. They know already what they should do, but it does not make things any better. I would say that one good way to accomplish that, and it would look fair and reasonable to me, is to pay the fishermen a bounty the same as the cod fishermen are paid. If the Government is going to pay money for protecting the seed lobsters, pay the fishermen a bounty in some way, I suppose it would depend on the average of his catch for the season, or on the percentage of berried lobsters.

Q. And then have him put the berried lobsters back in the water?—A. Yes, I should say that looks to me to be a very fair way and the easiest way that I can see of keeping the law, because if they commence to catch the lobsters and punch holes in their tails and put them overboard they might catch them again next day, and might shut one eye and punch the other side of the tail before they put him overboard and get paid for him again.

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Q. As to this matter of pounds, what do you think of them? Do you think that the pound has done any good, that the method of preserving the lobster in a pound is a good one?—A. I do not know much about it, but I really think if there is any pound or hatchery that is any good at all it is the pound where the lobster is put and kept there, I do not think that taking the eggs from the lobster and trying to hatch them out afterwards is any good. But whether it has been any good to the fishermen or not I could not say.

Q. Would you venture to say whether the number of pounds should be multiplied, whether there should be more of them?—A. I do not know.

Q. It is not every locality that furnishes suitable means for building a pound, is it?—A. Just where that pound was built was not, I think, the best place for it. There may be something in that.

Q. You think that if pounds were established they ought to be near the section from which the lobsters were obtained so that they would not have to be carried too far?—A. Yes, it would be better; the longer the lobster is out of the water the worse it is, the lobster is not able to live very long out of water.

Q. Are the female lobsters with berries on more delicate than other lobsters?—A. I have never known them to be.

Q. Where they ship them to market alive they say that the berried lobsters will not live as long as the others.—A. I have never kept them, no more than from the morning until the evening in my boat and I did not notice that they died any sooner than the other lobsters.

Q. Have the regulations as to the size limit, within your knowledge, ever been observed?—A. Yes, one or two years, I cannot just tell you exactly when, it was observed to a certain extent.

Q. But that is a good while ago, is it not?—A. A long time ago, but it is since Mr. Baker packed lobsters here, just about the time of his first coming.

Q. Have you any knowledge of the live lobster trade? Can you tell me which in your opinion is the most profitable trade, and the one to be encouraged where the facilities exist for carrying it on, the live lobster trade, or canning? Which is the more profitable to the fishermen?—A. Well, I suppose where the fisherman is near the market and can get the lobsters into the United States alive, that is the biggest percentage of them, I would say it is better for them. But I think that here in our district the canning industry is the best.

Q. The facilities do not exist here, for shipping them alive, you are too far away from the market?—A. That is it.

Q. It has been said that in some districts no lobster canner could continue in business and observe the law regarding the size limit?—A. I do not think I dare to say that it would put the canner out of business, but probably it would put him pretty well out of business, and if it did it would pretty well put the fisherman out; and, as you know, if there are no fishermen there could not be any cannerys.

Q. It has been alleged that in some instances the fishermen have suffered loss by the failure of those holding canning licenses to operate the factory?—A. I never knew of any trouble until this year; there was something going on very near that this year, and I guess down to the eastward of us there was one of the factories closed up.

Q. Was it closed up all season?—A. Yes, closed up this season.

Q. Did they all run their canneries here?—A. Yes, this season.

Q. What happened? Did the fishermen and the cannerys come together again and did the fishermen decide to accept the price offered?—A. Those who fished for the cannerys did.

Q. And those who did not had their co-operative license and canned on their own account?—A. Yes.

Q. But the rest of the fishermen could not can?—A. The rest of them could not can and they fished.

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Q. Did they get any advance on the price offered them originally?—A. I only heard that \$2.25 was offered here in the spring, and that all the canners made the same offer, but later on in the season, at the latter end, it was not worth talking about hardly, just in the beginning of July when I do not suppose the fishermen got 500 lobsters, I think they raised up to \$2.50, and after that I think that any fisherman who brought his own lobsters, that is what I heard them say about it here, to the factory and saved the smacker, got \$2.75. That is what I understood from the fishermen.

Q. Now as to the matter of licensing, do you think that the present arrangement, I think I asked you this before, for the issue of co-operative licenses is a fair way out of the difficulty between the canner and the fisherman?—A. I think so.

Q. Do you think that a large increase in the number of canning licenses would affect the fishery in any way?—A. I do not know, I do not think that it could.

Q. You think that everybody that can fish lobsters is already engaged in it?—A. I think everybody that can fish or that would fish is fishing now. As far as this place is concerned I do not think they want any more canneries.

Q. You do not want any more than you have here at present?—A. Because there would be nothing for them to can.

Q. Do you think that lobster fishing should be kept further out from the shore? and would that result in the schools of immature lobsters that come in shore being better protected?—A. I do not think so.

Q. Some people have suggested that if the fishing were kept outside a certain depth of water it would furnish a means of protection?—A. That is a thing it is impossible to do.

Q. What is the best time for fishing in this neighbourhood, when is it most actively prosecuted?—A. The best time here for lobster fishing is from about as early in the spring as it opens up, after the first of May to the 15th of June.

Q. Now as to these various plans that have been suggested for remedying the condition which exists, which one appeals to you as the best? You know one proposition is to close down altogether but it does not seem to be the opinion that we need entertain that because the fishery has not reached a condition to necessitate that. Then there is the suggestion of the Lobster Commission of 1898 to close down by sections, which, although a little less hard than the first, does not seem to meet your approval?—A. No.

Q. Then there is the proposition to put the size limit at 8 inches, that if it is only put at 7 inches the fishermen would live up to it and there would be no more trouble about it. Then there is another proposition that we should do away with the size limit altogether which never has been and never can be enforced unless at very great cost.—A. I think that is the right one to adopt.

Q. And that we should strictly protect, in whatever method is found the most suitable, the berried lobster, and at the same time shorten the season by a few days.—A. I would not say shorten the season.

Q. You see if we do away with the size limit and allow the fishermen to take undersized lobsters we must have something to compensate for that?—A. I would not say shorten the season, we have only three months here now out of 12 and you can safely say that you have to lose one week, seven working days, out of every working month, and that takes away one month from you out of the season that we have now.

Q. That is out of the whole fishery?—A. Yes, Providence has made that provision, you will have at least three weeks lost time out of the season and I think that is quite enough. I would not say shorten the season here, because there are other parts of the Dominion that have a far longer season than we have.

Q. To the west of you?—A. Yes, and I would not think it would be fair to shut off our season and leave theirs.

Q. If there is any shortening of the season it would have to be general, you could not do it in one place and not in the other.—A. But with all the storms and the weather conditions our season is short enough.

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Q. Towards the close of the present season are there not other fisheries available to the fishermen?—A. There is very little other fishing, and the fisherman while he keeps at lobster fishing cannot do much at the other fishing. He cannot keep the two going.

Q. But if the lobster fishing season were curtailed has not the fishermen other fisheries to go to?—A. I suppose he could go to his cod fishing, but there are very few of these lobster fishermen that have ever been very well able to go to cod fishing, they are not fitted out for cod fishing.

Q. Have you fishermen here who have nothing to do with the lobster fishing and who go to cod fishing very early in the opening of the season?—A. Yes, we have an odd one, but we have only an odd one, who used to do that and I do not think they did any lobster fishing this year but they generally set out a few traps in May around the harbour here.

Q. And they carry on the deep sea fishing at the same time?—A. Yes, the lobster fishing begins here on the first of May, and the fisherman cannot very often do anything with mackerel until along about the 20th or 25th and he has a few days in which to make a few dollars when he could not otherwise do so.

Q. When should the cod fishing begin? Before you fished lobsters at all here when did the cod fishing begin?—A. Before we ever fished lobsters?

Q. Yes?—A. That is quite a long while ago.

Q. It is a long while ago, but still it is only a recent fishery.—A. It never does begin much until the mackerel and herring strike the shore, somewhere about the same time, probably some years a little earlier and some years a little later.

Q. What have you to say with regard to fall fishing for lobsters? Some people suggest fishing in the fall, knocking off early in the summer and fishing again later in the fall?—A. I do not know how that would be, it may be all right, I have no doubt but what a man would do better, but it would not be worth a man's while fitting out for lobster fishing if he could not get a couple of months at it anyway.

Q. Have you any idea of the condition of lobsters in the fall?—A. Yes, I have fished lobsters in the fall.

Q. Some people say it takes a great deal more to fill a pound can in the fall than it does in the summer?—A. I do not know anything about that, but I know that the lobsters are very plentiful in the fall, in the month of September and October.

Q. It has been said that in a few years the live lobster trade will altogether replace the canning, but that is not likely to be the case here?—A. I guess they will have to give us a railroad first.

Q. Further west there is no doubt that seems to be the tendency. Have you any further statement you would like to make, if so, we would be glad to have it taken down.—A. I do not think I have anything more. I do not see anything further I could say.

Witness discharged.

JAMES MANN, fisherman, Gabarus, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. About 21 years.

Q. You heard the evidence given by these other gentlemen?—A. Yes.

Q. Does it tally with your views in the matter pretty much?—A. Well, pretty much, but with regard to that seed lobster I do not think there are as many seed lobsters to the hundred as he said.

Q. How many would you say there are?—A. I should say about 5 or 6 to the hundred.

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Q. Even that is a large percentage?—A. Yes.

Q. Do you fish your own boat and gear or do you fish the factory gear?—A. I fish my own.

Q. What amount of gear do you fish?—A. 125 to 130 traps.

Q. What style of trap do you fish?—A. The parlour trap.

Q. When did you abandon the old-fashioned double-ender trap and take up the parlour trap.—A. Perhaps 6 or 7 years ago.

Q. Do you think the adoption of the parlour trap has had anything to do with the capture of a smaller run of lobsters than you used to get in the old trap?—A. I do not know, I do not think.

Q. It is simply that the parlour trap holds what gets into it?—A. It will hold all that will get in; perhaps you will not be able to get to your traps every day on account of the weather, and I think the parlour trap holds the lobsters better.

Q. What space do you generally leave between the slats in the trap? You make your own traps?—A. Yes, I haven't any measure by which to go, but I usually use the pole of the hatchet, about $1\frac{1}{4}$ inch.

Q. You leave as much as that, do you? Do you think there is a tendency to put the slats closer together than they used to be?—A. I don't think. No doubt in the old fashioned trap they were farther apart, but I never make any difference.

Q. Do you think some do put them closer together later in the season?—A. Oh no, they remain as they start out.

Q. When do you begin to fish, one year with the other, about what time do you commence?—A. We never start much before May 8th, 10th, or 12th and an odd year we will be later than that.

Q. The commencement of the fishery depends altogether on the ice?—A. On the ice.

Q. In what depth of water do you generally begin to fish?—A. From about 7 and 8 up to 10 and 12 fathoms.

Q. Do you remain on the same ground all through the season?—A. No, I move the traps in.

Q. Do you move them just directly in shore?—A. Wherever I can get a place.

Q. A place that is not taken up by some person else?—A. Yes.

Q. What sort of bottom do you generally seek to put them on?—A. In the spring it does not make much difference, a sandy bottom is just as good as any place in the spring, but in the summer you want to get on the rocky bottom.

Q. How do the lobsters run at various times of the season?—A. They are best in the spring, in the summer they get smaller.

Q. Is it safe to say that, one season with the other you notice they get smaller as the season advances?—A. It is different every year.

Q. During the same season you get big fish in the early part of the season and smaller ones towards the end?—A. Yes.

Q. What is the percentage of berried lobsters you get, about?—A. Five or six to the hundred.

Q. How is it with regard to the undersized lobsters? What percentage of them would you say are under the 8 inch size limit?—A. I could not tell you, I never took that much account of it.

Q. What has been your practice with regard to them, what would you throw out?—A. I never threw out any, just the very small ones.

Q. Where would you draw the line, what would you call a very small one?—A. I suppose about 5 inches, if they come down to 5 inches they are not much good to anybody.

Q. Have you any idea how they run, how do you sell your lobsters, by count or by weight?—A. Last year I sold by weight.

Q. Did you ever take notice how many they run to 100 lbs.?—A. In the spring when the fishery commences it would take about 90 to make 100 lbs.

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Q. And as the season advances?—A. It will go perhaps 130 to the 100 lbs. in some places, and in other places they generally pretty nearly hold out the same, that is in rocky, rough places.

Q. How would it affect you if the size limit were strictly enforced at 8 inches? Supposing the canners refused to accept anything under that?—A. I think I would have to knock off.

Q. Of course of recent years all your berried lobsters go to the pound?—A. Yes.

Q. Before they went there what was your practice?—A. Before that they went to the factory.

Q. Was it necessary to brush them off before taking them to the factory, or were they taken as they were?—A. I have brushed them.

Q. Is it a very simple matter to brush them off?—A. Yes. I have knocked all the spawn off of them in perhaps two or three slaps on the water.

Q. How do you think it affected the lobsters?—A. I think it hurt them a little, but I do not think it hurt very much just giving them two or three slaps on the water.

Q. Do you think they would not live as long as the others?—A. Perhaps they would not, I have not noticed.

Q. Have you found that there has been a steady decrease in the lobster fishery in your time?—A. I can say there has not been much of a decrease.

Q. In your time?—A. I do not think so.

Q. One year with the other what has been your average catch?—A. I have not caught much by weight, I used to catch by count up to last year, and I used to catch from 12,000 and 13,000 down to 8,000 and 9,000 by count.

Q. It fell to 8,000 and 9,000?—A. Yes, I never got lower, I think, than 8,000. You see every year is not alike, one year you may catch many more than another.

Q. What is your percentage of loss of gear here? One year with another do you lose much gear?—A. This year I lost a lot of gear and some years I do not lose very much, perhaps 30 traps a year on the average.

Q. What is the life of a trap, how long will a trap last?—A. Four years, I never use them more than four years.

Q. What is the trap with its lines and everything worth? If you had to buy them, what would you pay for them?—A. They do not cost me more than 18 or 19 cents, but I make them myself.

Q. That is the material for building the trap?—A. Yes and the head.

Q. What size mesh do you use in the head?—A. I never measured the mesh. I guess it is about $2\frac{1}{4}$ inches.

Q. What do you think of that proposition of having the fishermen register and take out a license? Do you think there is anything at all in it?—A. I believe that is a very good plan.

Q. You see the idea is that when the fishery officer comes around in the spring, say when he pays the bounty, all those that intend fishing lobsters should apply to him and take out a form of license with the name filled in and the number on it. They need not pay anything for it.—A. Then he would be a sworn man.

Q. Yes.—A. That was always my thought about it, that is what is wanted, if you try to save that seed lobster all the men would have to be sworn.

Q. You think it would have that effect?—A. I believe it would. I do not think there would be many men who would break their oath, of course there might be an odd one here and there.

Q. And then somebody else would feel it his duty to inform on him?—A. Yes.

Q. Now as to the matter of price paid for the lobster, how is that generally arranged?—A. By the packer.

Q. And to whom do you generally sell your lobsters?—A. To the H. E. Baker Company until this year. I fished when I first went at it for \$25 a month and 25 cents a hundred.

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Q. You were fishing partly by wage and partly by count, and you gave that up did you?—A. I gave that up, and last year I got \$4.05.

Q. That was the year before last?—A. Yes, and about eight years ago I saw \$4.25.

Q. From the same firm?—A. From the same firm.

Q. What led to that increase in price?—A. Competition.

Q. And how was it this year?—A. This year we put up our own lobsters, I was one of those who got the license.

Q. You were one of those, that is the Gull Cove Factory?—A. No, that is here.

Q. What is your opinion, with the experience you have, do you think all the fishermen would be better off if they went into canning?—A. I think they would, because there is no way of shipping live lobsters from here.

Q. If there were more co-operative factories do you think the fishermen would do better with them than they will do by fishing for the regular factories?—A. Oh, I think so.

Q. Do you think there was any combine this year on the part of the canners to keep the price down?—A. I believe there was, they all came down and offered us the same price and would not vary a cent.

Q. How has it been other years?—A. Well, the last two or three years it has been leading to that; as far as I can find out they were trying to come together.

Q. Have you ever formed any conclusion yourself as to the spawning season of the lobster?—A. The spawning season is in the last of the fishing season, I think, in July, the last of July.

Q. Do you notice the eggs are getting ripe then?—A. Yes, and I notice that the lobsters had gone into the shell.

Q. You think they spawn about that time, at the end of July?—A. I think the majority of them do.

Q. Do you think you find more spawn on the lobsters that you got inshore than you do when you are fishing off shore?—A. We have our traps inshore because they come into the warm water I think.

Q. What is the smallest sized lobster you have ever noticed with eggs on?—A. I have never measured them, I think I have seen them as small as seven inches, but that is very rare.

Q. They say there is only one in 100,000 of that size?—A. It is very rare you find them so small as that.

Q. As a rule they are a very fair-sized run of lobsters?—A. Yes.

Q. What do you think yourself is the best method of securing the protection of these berried lobsters? Do you think there is any more general disposition on the part of the fishermen to protect and save them, or are they beginning to realize the necessity for doing so?—A. Yes, I think they are.

Q. They tell us in a good many places they think the fishermen are beginning to realize that in their own interests those lobsters should be saved.—A. Well, they are here too, and this summer we threw all our seed lobsters overboard.

Q. Would they not sell them to anybody?—A. No, there have been so many go to that pound, and the fishermen have heard that so many of them died before they even got there that we thought it was better to put the lobsters overboard and save them all that way. I have seen lobsters from the pound and they had only one whole leg on them, or perhaps a piece of a leg, and perhaps there was some seed still left on the lobster which was dirty looking and from her appearance I do not think she would ever bear any more eggs.

Q. You say you have heard the evidence of the other gentlemen who have gone before you and you approve of it. Do you think that if pounds are to be established they should be run by the department and not by private individuals?—A. I guess that is the only way they can be run, by the department.

Q. Do you think it is possible, from your knowledge, to establish other pounds about here? Do you not think smaller pounds and more of them would answer the

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purpose better than large pounds?—A. No sir, I do not think you will get any lobsters here for the pound.

Q. You think the people here will put them overboard generally.—A. I think so.

Q. There is no doubt it is the best thing that can be done.—A. It is as far as I can find out.

Q. Do you know anything about hatcheries?—A. No.

Q. Do you think there is any time of the year when the lobster is not fit for food?—A. After shedding the shell, although I do not know, I have never eaten any of them, and I do not know whether they are fit for food or not.

Q. But they come up pretty quickly after they have shed their shell, do they not?—A. Yes, I have had the shell in the trap and the lobster alongside.

Q. Did you leave him there to see how quickly the shell would get hard again?—A. No, I did not.

Q. What do you think of this method lately adopted by the department, of giving a license to any group of fishermen who apply for it and show that they are in a position to establish a cannery and run it properly? Do you think that fills the gap as far as the fishermen are concerned?—A. I think so.

Q. If the fishermen are not satisfied with the arrangements with the canner they can can for themselves?—A. I think that is about all the fishermen want to do.

Q. As to the live lobsters, have you any experience in that trade?—A. No, I know Mr. Baker tried it here, he tried to send them away and did pretty well at it for a while, but last year I do not think he did much with it, we are so far away from the market.

Q. And you have not the facilities for shipping?—A. No, we have not in the summer.

Q. Have you any idea whether, where the facilities do exist, it is the most profitable market for the fishermen?—A. I think that it is where the facilities exist.

Q. Are you aware of any instance where the fishermen have suffered by reason of the canner's refusal to operate his cannery?—A. No sir.

Q. If there is a decline in the lobster fishery to what do you attribute it?—A. I could not say, unless it is that there are so many being caught.

Q. That is it is due to over fishing?—A. I do not know that there is much decline here, there are more fishermen than there used to be. You could not tell very well when Mr. Baker was sending away the live lobsters how many were sent away and how many were packed.

Q. Was the quantity he exported large?—A. He sent a lot of large lobsters away.

Q. How did he get them to Mulgrave?—A. He had a steamer, the *Sea Bird*.

Q. What do you think of these various propositions that have been made with a view to improving the fishery? The first proposition is to close down altogether for a term of years and the next proposition is to close down by sections as an alternative to the total closing down?—A. I do not think it would do at all to close down, because our lobster fishermen here haven't anything else to go at, they have not the boats and gear to go cod fishing.

Q. What do you think of that other proposition to fix the size limit at 7 inches, do you think that size limit would be any more likely to be observed than the 8 inch size limit has been?—A. I do not think it would.

Q. What would you think of doing away with the size limit altogether?—A. I think that would be all right, to do away with the size limit altogether and preserve the berried lobster.

Q. The department would have to have something in return for doing away with the size limit and it has been proposed that the season be shortened at the end.—A. If the government did shorten the season it would be against the will of the fishermen, and if it were shortened at all I believe it should be shortened at the beginning of May because we always have it shortened then.

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Q. Nature fixes the opening of the season, does it not?—A. Yes, we can never start on the first of May.

Q. What is the most active portion of the fishing season?—A. When we get started at the first, in the middle of May and up to June.

Q. Do the whole of the fishermen fish actively up to the close of the season?—A. Yes.

Q. We are told at a great many places that the fishermen begin to slack off before the season closes?—A. When the fishermen have slacked off it is when they have had their traps broken up.

Q. Do you think there is anything in the suggestion which has been made to have fall fishing, cutting off a month in the spring and tacking it on in the fall?—A. It is hardly worth a man's while to fit out for one month.

Q. You do not think it would be worth while to refit or put their gear out for that period?—A. It would not, if you should give us two months in the first part of the season and two months in the fall it would be all right.

Q. Is there anything you would like to say in regard to matters I have not touched on or is there anything further you would like to say?—A. You were talking about a bounty for seed lobsters. If you are going to pay money out I think you could arrange it to give the men the money, let the fishermen have a bounty according to their catch of lobsters, and pay them so much per hundred.

Q. Well, we would have to get the money to do that, the government would not like to vote money out of any other fund, they would very probably say that the lobster industry must pay for its own protection. Under those circumstances do you think it would be reasonable to charge the canners a higher fee than is charged at present, it is merely a nominal affair, \$2 per hundred cases—A. If we only got a little money one way and had to put it back another it is just as well to leave it as it is.

Q. It is problematic whether the people generally will agree to pay a bounty on lobsters, of course you can get a bounty on cod fishing, but that does not come out of Canada, the Americans pay that. It will be necessary to raise the fund in one way or the other out of which to pay the bounty you suggest.—A. It will be just as well for the fishermen to throw the lobsters away at once as to get something for throwing them away and have to pay it back in another way.

Q. It would come out of the canners presumably?—A. If the canner pays it it will come out of the fishermen anyway, we will have to pay it in the long run and in any event there is a big percentage of lobsters die there after they get into the pound.

Witness discharged.

Mr. ORMISTON.—There is one thing I would like to say about the government taking away the restrictions on the lobsters, they should take away the size limit altogether, and that will give the fishermen a chance to throw away the berried lobster; if that is not done they do not have anything to recoup themselves.

The COMMISSIONER.—You think they would recoup themselves for the loss of the berried lobsters if that were done?

Mr. ORMISTON.—Yes. I have seen the government official after the lobster fishermen here pretty often, and as regards the small lobsters I have known the government cutter to come in here, and the captain of the smack just had time to get away. The officials we have around here possibly do not desire to catch men all the time, and still I would not say that they would break their oath. It is a pretty hard job to throw away all undersized lobsters, because some of them are pretty nearly as good as eight inch lobsters.

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Mr. H. C. GUNN, President of the Local Fishermen's organization, was invited to give evidence but declined to do so on the ground that the fishermen who had already testified were older men at the business and better qualified than he was to express an opinion. He suggested that the money paid to Mr. Baker in connection with the pound might better be taken by the government and distributed among the fishermen, and if that were done the results would be far greater than had been produced by the pounds. He stated he had been informed that the mortality amongst the lobsters in the pound was very heavy, one of the employees there having told him that on one occasion three smack loads of dead lobsters had been removed from the pound in one day.

The COMMISSIONER.—I understand Mr. Baker stated in his evidence before the Committee that on one occasion there was a heavy mortality on account of the weather becoming very warm, but that on the average under normal conditions it was not above 5 or 6 per cent. However, the department has had an official there all this summer investigating and observing the conditions so that the Committee at its next sitting would be placed in possession of the actual facts.

Mr. GUNN.—This last summer would not be a fair test because there were very few lobsters in the pound, not more probably than 5,000, the fishermen here having refused to give any lobsters to the pound this year; this is the ground from which they obtained the greater proportion of seed lobsters in former years. It stands to reason that where there were only 5,000 lobsters this year the conditions would be much better than they would in former years when it was stated over 40,000 lobsters were crowded into the same pound. I think the government had better pay the money direct to the fishermen and let them have the benefit of it.

Mr. JAMES McDONALD.—I have visited the pound on two occasions and I hardly think there were as many dead lobsters as reported. I was at that pound twice and I only saw one dead lobster.

Commission adjourned.

CANSO, August 30, 1909 (9 a.m.).

W. G. MATTHEWS, canner, Canso, called and sworn:—

By the Commissioner:

Q. How long have you been connected with the lobster industry in any shape?
—A. All my lifetime, I was brought up to fishing.

Q. Have you always fished in this neighbourhood?—A. In Canso, I was born here and spent my life here.

Q. And recently you have run a cannery?—A. Yes, just this last year.

Q. What is its capacity?—A. I put up about 400 cases.

Q. How many boats do you employ?—A. Somewhere about 50.

Q. The fishermen own their own boats and gear altogether here?—A. Altogether.

Q. Are they mostly two-handed or single-handed boats?—A. Mostly two-handed.

Q. What number of traps do they fish?—A. From 150 to 250.

Q. What style of traps do they use?—A. Mostly the parlour trap, but some use the old fashioned.

Q. Whereabouts do they fish?—A. Round about the light and cape, and up to these islands.

Q. Up in Chedabucto Bay?—A. Yes, some.

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Q. How many canneries are operating in this place?—A. There were three this year.

Q. Who are the other two owned by?—A. One by the Portland Packing Company and the other by Sproule & Co.

Q. How long have they been operating here?—A. The Portland Packing Company has been here I do not rightly know how long, twenty years at least.

Q. And Sproule & Company?—A. They have been here for some years, about 10.

Q. Are those the only canneries that were ever operated here?—A. No, Hayward operated here a few years, I do not know how many.

Q. They gave it up?—A. They gave it up, and I understand they sold to W. L. Foreham.

Q. We have heard of him in other places, I think he has canneries in New Brunswick?—A. I think so, yes.

Q. About what time do you generally begin fishing here?—A. Generally about the 15th of April.

Q. When does your season end?—A. The last of June.

Q. And commences on the 1st of April?—A. It runs from the 1st of April to the last of June.

Q. And you generally begin about the 15th of April?—A. Yes.

Q. Are you bothered by ice to any extent?—A. Quite a lot sometimes, so that we cannot commence at the beginning of May, and I have known it one year to be the 11th of May.

Q. What is the best time of the year for fishing here?—A. May month.

Q. What is the practice of the fishermen about here, is it to begin fishing out in deep water?—A. Yes.

Q. In about what depth of water?—A. They generally fish in from 10 to 15 fathoms.

Q. What is the greatest depth they go to?—A. Fifteen to 17 fathoms, round about that.

Q. How far off shore will that take them?—A. Not very far right off here, round about the light and back towards the Cape shoal.

Q. By 'the light,' you mean the light on Cranberry island?—A. Yes.

Q. How long do they fish out there, all the season?—A. No.

Q. When do they move in?—A. They move in about the 20th of April, as far as I can remember, that is when they commence to shift the traps into shoal water, it depends upon the season.

Q. And upon the movements of the lobsters?—A. Yes.

Q. And they come then into what depth of water?—A. Two or three fathoms.

Q. Is there much loss of gear by stormy weather?—A. Yes.

Q. I suppose the loss is greatest when they are fishing in shoal water?—A. Yes.

Q. How do they fish, trawls or on single lines?—A. Years ago they used to fish mostly on trawls, but they do not fish many trawls now, mostly what they call the hand pots.

Q. Within the limits of your experience how is the fishery now compared with what it was when you began fishing?—A. Well, to my mind, it is dropping off every year, there is a little dropping off each year.

Q. It is continuous?—A. Yes.

Q. A great many people say they think it has not decreased the last five or six years, but in your opinion it has decreased?—A. It has decreased right along.

Q. Both in quantity and size?—A. More so in quantity than in size. Our lobsters this year held out very good for size. What I mean by that is we had more market lobsters in proportion to the others than we had before.

Q. By market lobsters you mean those that you ship alive?—A. Yes, those that we ship alive.

Q. You do both branches of the trade, then?—A. Yes.

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Q. What percentage of the lobsters taken here will be below the legal limit of 8 inches? Of course everywhere we find that that legal limit is not observed at all, never has been, they say in most places.—A. Well, it is pretty hard to tell.

Q. Is it a considerable portion?—A. It is, yes.

Q. In some places you know the canners say that if the legal limit of 8 inches were enforced it would put them out of business, that they could not continue, or the fishermen either.—A. According to what I hear there are places like that, but we get a larger percentage of large lobsters than they do in most places, and still there is a pretty large percentage of small ones.

Q. I suppose you have pretty good bottom for lobsters around here, the rocky bottom among the islands, the reefs and the shoals here ought to be pretty good lobster ground?—A. Yes, between here and Whitehead I suppose there are the largest lobsters caught.

Q. How many does it take in your place to fill a pound can?—A. Our average was in the vicinity of five, sometimes a little lower.

Q. How do you pay your fishermen, by count or by weight?—A. By weight.

Q. Has that always been the practice here?—A. For many years. In Ogden's time when he first commenced here they paid by count, but they got into paying by weight after a few years.

Q. Have you any idea, can you tell me, how many lobsters it takes to make 100 pounds?—A. How many in count?

Q. Yes, how do they run? What does a hundred pounds weight represent in number?—A. That is just as they are caught?

Q. Yes, green?—A. Just as they are caught big and small; well I do not know exactly, but I do not think they would average more than $1\frac{1}{4}$ pounds.

Q. You think the lobsters would run on an average to $1\frac{1}{4}$ pounds?—A. The largest would, I remember the time when 100 would weigh 200 pounds, I remember seeing that.

Q. But that is not at present?—A. No, I guess somewhere between one pound and one and a quarter on the average.

Q. Is the amount of gear now being fished much greater than it used to be?—A. Oh yes.

Q. There are more fishermen fishing?—A. Well, there may not be any more fishermen but they fish more gear. Of course there are more fishermen than there were 10 years ago.

Q. What are the men usually engaged in the lobster fishing here, are they genuine fishermen?—A. Yes, generally they are genuine fishermen.

Q. What other fishing do these men indulge in?—A. Cod fishing, mackerel, herring, all kinds of fishing.

Q. Does the cod fishing go on all the year around with you?—A. No, generally in cod fishing we do not get much before the 20th of May.

Q. And when do you stop fishing again?—A. When the season ends it is about the middle of January.

Q. Then between the middle of January and May you do not do much fishing?—A. No, that is cod fishing.

Q. Now then, within your experience, is it as good fishing, do you get a larger run of lobsters when fishing in deep water than you do when fishing in shoal water?—A. No, I do not think so—well perhaps we do at first in the spring get larger lobsters, some of them. And as to the small lobsters we get most of them in the last of the season.

Q. That is when you are fishing in the shoal water and warm weather?—A. Yes.

Q. When do you see most of the spawn lobsters, those with berries on?—A. In June.

Q. You have a hatchery here now?—A. Yes.

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Q. I suppose all the berried lobsters are sold to the hatchery?—A. Well, the spawn is taken off them in the factory and they send it to the hatchery every day.

Q. Where is the hatchery situated?—A. Below our place there, on that point.

Q. How long has it been in operation there?—A. I think this is the fourth year, I am not quite sure.

Q. Before the hatchery was established what was the practice of the fishermen and canners generally in regard to the berried lobster?—A. As far as I know they washed the spawn off them and sold the lobsters to the cannery.

Q. Were the canneries in those days particular about taking them at all?—A. They would not take them if they knew.

Q. They would not take them if they knew?—A. No.

Q. What would be the percentage of lobsters bearing eggs? Out of every hundred lobsters taken how many do you think would be egg-bearing lobsters?—A. That is a pretty hard question to answer.

Q. It is not a large percentage is it?—A. No, it is not a large percentage. You would probably get in June 20 or 30 out of a thousand pounds of lobster, that is about as near as I can come to it.

Q. How do they run, as a rule, are the egg-bearing lobsters generally of good size?—A. Yes, they are generally of good size.

Q. Did you ever remark the smallest sized lobster you have ever seen bearing berries?—A. I think I have seen them as small as 9 inches, and Mr. Davis was talking this morning about seeing them 8 inches.

Q. They have been seen down to 7 inches, and I have seen one myself 7½ inches. They say where they have kept a regular record, as they have in the United States Biological stations, they find about one lobster in 100,000 bearing eggs at 7 inches, as a rule they are 7 inches and up.—A. Yes, that is what I would say.

Q. I see by the evidence taken last winter before the committee in Ottawa, that a number of suggestions have been made with a view to improving the condition of the fishery. Among other things that have been suggested is the proposal that in order to get the fishermen to obey the regulations where there are no pounds or hatcheries that when the fishery officer comes around in the spring to pay the bounty every man who intends to fish for lobsters should take out a license. There need not necessarily be any charge for the license, the idea being that if a man took out this license he would feel himself in the position of a fishery officer and responsible for the enforcement of the regulations, so that he would not only obey them himself but would see that others did. Do you think that would have a good effect upon the fishermen generally?—A. It might have.

Q. That is the idea of those making the suggestion, that it would secure the better observance of the regulations?—A. That may be all right.

Q. As to the matter of licenses and restrictions generally, what is your opinion about the matter of issuing canning licenses? Do you think that the number should be kept down? That, as you are aware, has been the policy of the Department in the past?—A. What I really think about that is, I believe that those people who are holding licenses and do not use them should not have them unless they establish themselves and do business. On the other hand I do not think it would be wise to have too many licenses issued, but I think there should be an inspection, that is what I think about it, and if anyone packs the right kind of goods it is all right, but those that did not should have their licenses taken from them.

Q. You are aware there has been friction in some places between the fishermen and the canners, especially in Cape Breton?—A. There is here, lots of times.

Q. The fishermen have complained that they are not getting justice from the canner, that they are not getting enough for their lobsters, and that in some cases the canner shuts down his factory and they could not find a sale for their lobsters. To obviate that the Department decided to issue what is called co-operative licenses to 15

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or more fishermen who combine to can their own lobsters. Do you think that is going far enough to assist the fisherman in his difficulties?—A. I do not see that you can go very much farther, that is giving them all the chance if they think that the packer is not giving them enough for their lobsters, to go on and try to can them on their own hook.

Q. Do you think that the fishermen, taking one with another will make more money canning than by selling their fish?—A. No, I do not think they will, they will find that out for themselves if they start at it, especially nowadays, it is not like what it used to be in the olden days.

Q. What do you pay your fishermen here?—A. We started at \$2.50 and ended up at \$3.50 this year.

Q. There is a feeling among the fishermen generally that there is a combine on the part of the canners to keep down prices. Is there anything of that kind to your knowledge?—A. There is nothing of that kind to my knowledge.

Q. And the fact that the price did run up would seem to contradict that?—A. Yes.

Q. What is the highest price you have known to be paid for lobsters?—A. \$4.50 I guess.

Q. That was the year before this?—A. Yes.

Q. Which branch of the fishery do you think, is the most profitable one to the fishermen, the sale of his fish to the canner or exporting them to the market alive where that can be done?—A. Yes, where it can be done. My experience, of course I am canning this year but I have bought and shipped them before, and I can safely say that I have yet to have the first dollar I have made out of the live export trade, that is taking the season right through.

Q. What was the trouble?—A. So many lobsters die in getting them to the market.

Q. The conveniences and facilities do not exist here for that trade?—A. They do not exist.

Q. You have to ship them to Mulgrave?—A. Or to Halifax.

Q. And there was the cost of getting them to the market?—A. Yes, I lost \$135 on one small shipment this spring. Of course there are times in the year when the fishermen can make money, but take the season right through and they cannot make anything.

Q. That is they can during the cool weather?—A. Take the last season when the price was pretty good, high, and of course a great many of them died, but there was money in it.

Q. As to this matter of handling the berried lobster, what do you think is the best thing to do with her, put her in the water when she is taken out of the trap, bring her to the pound, or bring her in and have the eggs taken off her and have the spawn hatched in the hatchery?—A. I always feel that the pound is the only place for the seed lobster.

Q. Are there any facilities in this neighbourhood for establishing a pound?—A. I think so.

Q. What is wanted is sufficient depth of water with a free flow of the tide and means of barring them off?—A. I think there are places like that around here.

Q. There ought to among all these islands and reefs you have here?—A. I think so.

Q. As a remedy for the poor condition of the fishery various suggestions have been made to the Department. One is to close down altogether for a term of years, what do you think about that?—A. Well, I do not know I am sure. I do not know that it would be very much better.

Q. It would be pretty rough on the fishermen?—A. Yes, in a place where they cannot do anything else but fish.

Q. Then the Lobster Commission of 1898 recommended the closing down by sections, closing certain areas for 2 or 3 years and then moving those areas around

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gradually until the whole coast had been covered, what would you think of that as a remedy?—A. I do not know about that, I am sure. Of course you take here for instance, if they take that from us in the spring that is the only thing the fisherman has to go to, and some years they get a pretty good start out of it and to take that from them and make them depend upon something else and that perhaps no good would make it pretty hard times here.

Q. Others have suggested that we reduce the size limit from 8 inches that we have here now to 7 inches, what would you think of that?—A. That would be all right I guess. Anything smaller than 7 inches should not be caught at all.

Q. You see it was nine inches originally, then it was brought down to eight and now it is proposed to make it seven?—A. Yes.

Q. Another proposal is to do away with the size limit altogether, it has always been difficult, in fact almost impossible to enforce it?—A. That is my idea about it too.

Q. And to protect the berried lobster, shortening the season by ten days or a fortnight at the end.—A. That is a very good idea, it agrees with my feelings exactly.

Q. Professor Prince, who is at the head of the service, and who is an expert, favours an open season beginning with the 1st of January and ending on the 15th of June on the Atlantic Coast?—A. Of course that is all right, it would suit some parts of the coast, but it would not suit us at all, because we would not be able to commence any earlier that we do.

Q. Well, you would begin when you could?—A. We would certainly do that, but I have never known them getting to work before the 1st of April, at least I did one year.

Q. I know in my own district, Gaspé, we can fish in March sometimes.—A. Yes, but we are troubled with ice coming down from the straits and it would not do us any good here.

Q. And the idea was that by doing away with the size limit we could shorten the season?—A. Yes.

Q. A great many of the most intelligent witnesses we have come across say, 'Shorten the season, take something off the end of the season, because that is the regulation that can be enforced, and it is during the last few days of the season the greatest damage is done in taking the small and berried lobsters?—A. That is my own experience exactly.

Q. Is it the case that the canners are compelled to accept undersized lobsters from the fishermen for fear of losing them? Do the fishermen expect you to take everything they bring in?—A. No, I do not think so now. The restrictions are there and they know it, and that we must go by them.

Q. We hear in some places the canners say that they have to take them because if they do not their neighbour will and he will get the fishermen?—A. It may, of course, happen in cases of that kind.

Q. Have the regulations for the strict protection of the lobster and the maintaining of the law ever been observed?—A. Oh, yes.

Q. You think they are?—A. I know I have smacked lobsters for years and there are lots of times I would not take them.

Q. You would not take undersized or berried lobsters?—A. I would not.

Q. In some places they have asked to have fall fishing, to cut off part of the spring fishing and to give additional time in the fall, what would be your idea of that?—A. I do not think that would suit this place.

Q. You think the people would not begin again after having closed down?—A. Some might and others would not bother, at that time you see there is other fishing, and to my mind it would not be worth while bothering about it.

Q. As to this standard of fitness in the cannery, do you think it would be wise to insist upon a certain standard of fitness, that the tables should be covered in a certain way, and that a certain standard of carefulness be enforced?—A. By all means.

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Q. You think it would improve the market?—A. Yes, for the fisherman, the packer and everybody else.

Q. And then there is another thing that has been suggested, that is that the product of the canneries should be subject to inspection the same as we inspect other canned products. Fruit, vegetables and other things are already inspected but lobsters are not inspected?—A. I imagine that would be all right—I believe it would be right to have them inspected.

Q. But you would require to have practical men trained in the canning business to make an inspection of that kind?—A. Sure.

Q. The ordinary staff of officials at present in the department you think would not be able to do that?—A. They would be no good, you would have to get men trained in it to know a good lobster from a bad one.

Q. Are there any of these co-operative canneries here in this neighbourhood?—A. Yes, this one of ours is a co-operative one.

Q. Are you a member of the Union?—A. No.

Q. Is it to your knowledge that the fishermen have lost their catch of lobsters by the canners refusing to accept them? Has that ever occurred here?—A. No, but it pretty near occurred here a year ago. The Portland Packing Company did not open here the year before last and left all the lobsters for one factory and if Mr. Neville's boat from Halifax had not come down here and bought them we would have had very little market, and it would have hurt us; Mr. Sproule could not have handled them all. That is the only time I remember anything of that kind.

Q. Did the Portland Packing Company re-open and can afterwards?—A. They did last year but not that year.

Q. What was the cause of their shutting down that year?—A. The price got too high.

Q. They could not afford to pay the price?—A. That is it.

Q. They did the same thing on the Magdalen Islands, they said the price got beyond them. Do you think that the hatcheries are helping to maintain the supply of lobsters?—A. I really think they are to a certain extent. Of course we do not see the results here yet; according to what I hear they are a benefit and I do not see why they would not be.

Q. With regard to the matter of placing berried lobsters in pound for the purpose of hatching, what do you think about increasing the number, or going into the system of hatching putting the lobsters in pounds to hatch? At present we have only one pound, that operated by Mr. Baker at Fourchu. What do you think of that method of dealing with the lobsters?—A. I think it would be a grand idea. In all this coast there is only one hatchery between here and Halifax, and there are other people who do not get any benefit from it at all, whereas if they had pounds you could have small ones all along the shore and everyone would get his share of the benefit.

Q. Is there any fishing or packing done here after the close of the season?—A. No, not that I know of, I do not think there is anything done.

Q. What are the average earnings of a lobster fisherman? What number of pounds will an active fisherman take in a season, that is in a two-handed boat?—A. I could tell exactly by looking at my books, they made all the way from \$100 to \$600, that is for a boat.

Q. They did that during the season of three months?—A. Yes, I have known some boats to take \$600, but of course some did not make over \$100.

Q. What do you value a fisherman's boat at? The boat he uses for lobster fishing is a small boat is it not?—A. It would be worth about \$30, that is about it, say \$25, would be about an average.

Q. Are any of them using motor boats now?—A. Not for lobster fishing, but there is some talk about it.

Q. What is the trap worth with its gear and trawl line?—A. Somewhere in the vicinity of \$1.00.

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Q. That is in the water ready for fishing?—A. Yes.

Q. What wages are paid to the sealers in the cannery?—A. Generally about \$35 a month.

Q. And board?—A. No, board themselves.

Q. And what is paid to the other hands employed about the cannery?—A. The foreman gets about \$50 or \$60, and the other labour is paid——

Q. What are the girls paid?—A. About \$10 per month, some \$12 and some \$10 and the boys get from \$10 to \$12 according to what they are at. The other male help get about \$30 per month.

Q. I do not think there is anything else I can think of that I can ask you particularly. If there is anything else you think I have not touched on I will be glad to have it taken down.—A. I guess you have touched on everything that is necessary.

Q. If there is anything else that you want to lay before the Committee it will be taken down.—A. I think you have covered everything, but in the meantime, if I should think of anything else during the day I will give it to you. I think it will be well if you can get some ideas from some of the old fishermen.

Q. Those are the men I will be glad to get, and if you can get us some men who are able to give us evidence as to the conditions now and in former years I will be pleased.—A. There are a couple of old fishermen that I will try and get around here this afternoon. Of course there are some young fishermen who have new ideas that are not always right but as far as the fishing is concerned there is nothing like getting your evidence direct from the fishermen.

Witness discharged.

Commission adjourned.

CANSO, August 31, 1909 (2 p.m.)

CHARLES LONNES, Canso, called and sworn:—

By the Commissioner:

Q. Were you ever connected with the lobster industry in any way?—A. No, not any more than what I am telling you, for one season I was inspector at the lobster factory.

Q. Well, you have some knowledge of the condition of affairs. What in your opinion is the condition of the lobster fishery compared with your early recollection?—A. In what respect? Have the lobsters got scarcer?

Q. Yes.—A. Very much so, in my opinion.

Q. Has that been constant and steady, or did it occur years ago?—A. It is steady year by year, I think.

Q. To what do you attribute that decrease?—A. There are various reasons in my opinion. The lobster is a fish that does not travel very far, it just goes off shore a little way in the fall and returns in the spring, and I think that perhaps over-fishing or excessive fishing is responsible to a great extent for the decrease.

Q. And would you venture to say that it is due to the catching of too many immature fish and the destruction of the female fish?—A. More so with respect to the female. .

Q. It must conduce towards the extermination of any flock I would think if we destroyed the young before they reached the age of maturity?—A. Yes, and if you destroy the mothers it will be greater.

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Q. In a few words, there is no use going into a long inquiry about the fishery, what would be your remedy for the existing conditions of affairs?—A. I have often thought, and I may as well tell you now, what I think my remedy would be, that if the government were to issue a license to all lobster fishermen, that is not make any charge for it to them, but that they could not fish without a license.

Q. That is one of the propositions that has been made?—A. Make it so that nobody could catch lobsters without a license, that everyone would have to get this license and would be required to make affidavit to these conditions which would be embodied in the license, that he was not to catch or destroy any seed lobster, and that he would observe the law, whatever it may be, as to the size of the lobsters to be taken. Even more important than that I would say that he should have his name on his lobster pots, which would not cause him any trouble at all, on his buoys and on all his lobster gear, and if he were caught with illegal lobsters in his possession he would be disqualified from fishing for a number of years, you might make it six or seven years, whatever the law was. I have thought for a number of years about this and that is the best way in my opinion to stop it. There are a number of conscientious fishermen that do not want to destroy the seed lobster and who want to see the others obey the law.

Q. We find that there are a number of fishermen who believe it would be better to save the female lobster and keep the industry alive?—A. I was going to say there are a number of men on whom it would be no use to impose a fine, but simply take the license from them so that they could not fish again, that would be the best way of dealing with them.

Q. That is one thing which has been suggested to me, that when the fishery officer comes around to distribute the bounty, he comes in the spring before the fishery begins, and he could issue those licenses, each license would bear a number and the fisherman might be required to have his rigging and traps bear a number corresponding with his license.—A. Exactly, and it would be the greatest benefit that could be adopted. Of course I am only one, but that is my opinion. On the other hand I might say that I am not in sympathy with the lobster hatchery and I will tell you why, no fisherman should catch the seed lobster, and of course there is a great destruction of seed lobsters, no question about that, and I am afraid the results are not very great. The idea of taking these small fish when you can just barely see them, they are so small, and putting them out into forty fathoms of water, in a strong current, when the minute fish cannot get to the bottom, and cannot make its own way there is a great destruction goes on among them. You can find places along the shore where a fish weir can be put across the mouth to keep the lobsters in the pound.

Q. You have them here along this shore, but you cannot have them always; there are some parts of the coast where you cannot find suitable places for a pound?—A. We have lots of places where just a small weir across the narrow neck would keep the lobsters in and I would suggest that wherever that is possible these pounds be constructed and that the seed lobsters be caught and put in there. One man is enough to look after a pound, but it would not make any difference if there were one or two, all the fish should be put there and kept there and fed until the lobster season is over, and then pull out the weir and let the fish out so that they would be at liberty to go where they choose. That, I think, would be the natural way of breeding lobsters.

Q. That, of course, is a more natural way than the hatchery?—A. No doubt. I am afraid that in my judgment there will be a very poor result from the hatchery. The people cannot be persuaded, but I think there is very little result produced by the hatcheries. Now, may I ask a question? Has the Canadian government or the United States government ever gone to the trouble to see if they can raise and produce lobsters his lobster pots which would not cause him any trouble at all, on his buoys and on all

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Q. I cannot say that they have. But they have taken the trouble at Hood's Hole in Massachusetts, to hatch them, and they have reared them until they were 3 or 4 inches long. All the information that we have about the lobsters has come from there. They have made extensive experiments there in the hatching of lobsters and have carefully watched them as they developed and made minute observations of their progress until they were distributed in the sea. From those observations they have determined that the whole of the early life of the young lobster for the first three months is nothing but a series of moulting, it grows a shell one day and casts it the next, it grows very rapidly, and the first year it grows about 3 inches long; the first and only time it progresses headforemost is the first six weeks of its life during which it travels on the surface of the water, after which it changes its method and goes to the bottom and then begins to crawl backwards. During that early stage the young lobsters form a very large portion of the food of the mackerel. After the first year they grow two inches a year, so that an 8-inch lobster is supposed to be 3 years old. That is the only place I have ever known of any attempt being made to keep track of the growth of the lobster. I do not think we have ever done anything along that line.—A. What is your opinion about the hatcheries?

Q. There is no doubt that unless the stripping of the eggs from the seed lobster is done carefully they are destroyed, but when the eggs are carefully handled there is no doubt that from 90 to 95 per cent of them can be hatched in the hatcheries. The stripping of the eggs from the female however appears to be injurious to her as the weight of testimony goes to show that she is much more delicate when in that condition than the other lobsters.—A. There is no doubt that they die most of them, because here we have shipped live lobsters to the United States, and they have often stripped a female lobster and put her in a crate, and, of course, there is no doubt there is a dead lobster before the crate reaches the market. My opinion is that if you scrape those eggs off before they are ripe you cannot produce lobsters from them.

Q. I would be doubtful of them any way. My own feeling is that the right thing to do with the female lobster is to put her back in the water when she is taken out of the trap, but failing that, and if you cannot trust the fishermen to do that, the next best thing is to take her from the fisherman and bring her in as quickly as possible and it may be necessary to give him a little more than the regular price in order to compensate him for the extra care which is necessary. When received from the fisherman in good condition then you can put her in the pound?—A. Exactly, that is what I think.

Q. Now that happened in connection with Mr. Baker's pound, perhaps they went too far for their lobsters, we are told they went up to Ingonish, and these seed lobsters cannot be in any condition after being two or three days confined in a boat.—A. There is no doubt about that. But on this shore from Scatari to Cape Sable there are hundreds of places where pounds could be established. We have excellent facilities all along this coast.

Q. Your opinion is, of course, that the best thing to do is to license the fishermen? —A. Yes.

Q. As to the season of fishing what do you think yourself? When should the season open, and when should it close?—A. The locality has a great deal to do with that. If the Government is going to allow the fishermen to catch fish in my opinion they also should allow them some reasonable time in which to catch them. It is no good to give them a month when the shores are blocked with ice, or some other time when they cannot fish. In my opinion I think that the season here is too long now, say April, May and June, although perhaps I should not do that because I am not engaged in the fishing.

Q. I have been in the service for 32 years and my experience is that it is in the tag end of the season the greatest harm is being done in the catching of the seed lobsters and the small lobsters, when they get close inshore. I find they are fishing

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lobsters in some instances where the traps actually dry out at low water?—A. Yes, and it is the case here, they come as near to the shore as they can, and the nearer they get to the shore the more fish they get. You can put your hand on the top of the trap in many instances.

Q. The best fishermen and the best canners have told us that if they could get two months' fishing and packing that is all they want. Of course in New Brunswick and Prince Edward Island we find that a very large proportion of those engaged in lobster fishing are not regular fishermen, but farmers who come down and fish for the canneries with the canners' gear and boat?—A. That is so, I understand. In my opinion I think that along this shore from this point west to Halifax the 15th of June should be the end of the term. In fact, a great many of our fishermen here do not use the month of June anyway.

Q. They begin to slack off?—A. Yes, the lobsters are scarce and they find they can make more at codfishing and so they drop out. There are only a few among the many fishermen here, as far as I know, that fish the whole month of June.

Q. And the canner tells us that he would rather close up in the middle of June because the fishermen begin to slack off, and the quality of the fish he is getting is poor. He tells us that he only keeps open for the benefit of the fishermen, who say that he must keep open for them until the end of the season, but he would rather close earlier if he could?—A. I know that is a fact. I am acquainted with a great many of the packers, and I know as a fact that the time is very awkward for them. They have more help than they need, and if they discharge them it causes trouble because the fathers and the brothers of the help in many cases are fishing for them, and they lose their fishermen in that way, so that it just compels them to keep their factory open day after day so as not to lose their fishermen.

Q. I would like to ask you about the question of licenses. In the beginning licenses were granted to almost anybody that asked for them, and this led to a great increase in the number of factories until apparently it was overdone so that a great many retired and went out of business. The department to-day is not issuing nearly the number of licenses that were issued years ago for packing, and in recent years the policy of the department has been to restrict the number of licenses and the effect of this seems to have been to put the fishermen more or less at the mercy of the canners, and the fishermen rightly or wrongly have got the idea that the canners have combined to keep down the prices and that therefore they are suffering. My own experience in the Gulf of St. Lawrence is that there has been no combine among the canners any more than there has been among the fish merchants. Of course, they put their heads together and say that they will not pay more than a certain price, but the first thing that happens is that some man brings in a good lot of fish and gets a little better price for it and then the whole agreement is broken. The department has sought to remedy that state of affairs and to satisfy the fishermen by issuing co-operative licenses wherever a group of fishermen combine together and apply for a license to go into canning themselves. Do you not think that it would be a good thing for the department to set up a standard of cannery and to inform applicants that they can obtain a license if they are prepared to erect and equip a cannery up to a certain standard, whatever standard may be determined?—A. That is my opinion, but I would not like to say what the standard should be.

Q. You could not make it too high, because if you did you would rule out the poorer applicants?—A. That is quite right, some person in authority must decide what it should be, but it is unfair that because I got a license some years ago I should continue to get a license, and because you did not have one, although mine is renewed every year, you cannot get one. Take in our own place here, there are men with licenses who do not pack lobsters, and there are others who want to pack but who cannot do so because they cannot get a license. I say give every man a license who applies for it if he wants to pack, and provided he comes up to the standard required.

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Q. I have seen a great many canneries where there was no care taken at all to keep the tables or floors clean, or anything else. That sort of thing need not be tolerated; here is a product of food being put up for public consumption, and the whole tendency of today is to have the food product in proper condition, and it must be that the product of such canneries as those I refer to keep down the average price of the lobsters, and must have a bad effect on the market?—A. There is no doubt that is the case. If you were living in some other country and thought when you were buying a can of lobsters that you were getting a great luxury, but if you found upon opening the tin that the meat inside was not fit for food you would not want to buy any more of that particular article. In my opinion I think that every one who wants a license and who comes up to the standard should have one. If we have ten canneries here I do not think they can get more lobsters than the two would. The two can take care of all the lobsters our men can catch here, but if the same quantity of lobsters are distributed among a number of canneries greater than that it will eventually come down to the point that only the number of men who can make it pay will remain in the business, that thing regulates itself.

Q. It has been suggested that there was very little use in limiting the number of canneries when no limit was placed upon the amount of gear.—A. That is a great mistake, as long as there are canneries enough to take care of all the fish that are caught and now they can take care of so many more than what they did in years past, because they are sending so many away that are not canned.

Q. That involves another question. Where it is possible to carry on the live lobster industry, should the regulations be made to favour that industry as against the canning? It does not affect you here, perhaps, very materially, but go down to western Nova Scotia where you come up against the American laws, and where the market for live lobsters is direct to Boston it seems to me that one way out of the difficulty is to put up the size limit on the lobster and enforce it?—A. Yes, in that part of the province.

Q. And in that case the canner in that immediate neighbourhood would be sacrificed?—A. Yes, but that would not apply to us here.

Q. Of course that could not apply here or to Cape Breton or the Magdalen Islands where canning must always be an industry, and the regulations must be passed there with a view to assisting the canner, or that part of the industry. But where canning comes into conflict with the live lobster trade it has been urged that the regulations should be framed to suit that trade rather than the canning.—A. Yes, and then with regard to the conditions, we are able to fish here earlier than they are about Gabarus and along that shore so they may want the month of June.

Q. They tell us up in Cape Breton that they cannot do anything in the live lobster business because you people who live to the south of them under better conditions fish right up to the time when they do, and that you ruin the market for them.—A. It is only fair to the people of Cape Breton that if our season closes here on the 15th of June they should have two weeks in which they could do a fair business in live lobsters.

Q. After you are out of it?—A. Yes, that is about it, that is just what I think.

Q. Another thing I would like to ask you about is, it has been proposed that, in order to raise a fund with which to buy the berried lobsters with a view of putting them in the pound, a higher fee might be exacted from the canner than the 2 cents per case which is now paid, and which is a mere bagatelle in canning. The people on the western farms, for instance, might object to being called upon to pay for the protection of the lobster, they might say that the business should pay for its own protection. Mr. Baker, who started the pound at Gabarus, Mr. Tidmarsh and some others who are largely interested in the industry have suggested that a higher fee be charged to the cannery and in that way that a fund be established for the purchase of the seed lobsters for the purpose of putting them in pounds. A fee of \$25

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per hundred cases they say is a mere bagatelle.—A. Yes, that is pretty small, it does not amount to much, but the fishermen would probably say if that fee were imposed that it would come out of them in the end, that the packer would not pay that.

Q. Here is one question I had written out. It has been suggested that for the better protection of the lobster industry the fishermen should be required to register and take out a license, that is what you suggest yourself?—A. I would not think what I have said would be any good unless the last clause were carried out, and that if he violated this law and was caught at it his license should be taken from him so that he could no longer fish. Unless the law were strictly enforced it would be of no value.

Q. There is no use having a regulation that is not enforced?—A. I think there is not a packer who would not stand up and tell you himself that there is not a factory in Canada that does observe the law, if it did it might as well go out of business. Now what is the good of a law that is just discredited to that extent that the man himself will tell you so? There is no good having that law on the Statute Book.

Q. Have you any idea about the matter of price, do you think that the price the fisherman gets is a fair proportion of the value of the lobsters? We have heard of his getting as high as \$4.50 in some places, some years, but last year it came down to \$2.50.—A. \$4 I think is full value.

Q. And they found it out after they had paid it did they not?—A. I think they did, and that is why I say that it was full value, because fish at that price instead of being an article of food becomes, to a very great extent, a luxury, and therefore it is left on the market because people cannot afford to buy it. The way I look at it is this that if a man wishes to have fish of some kind for supper, he might buy two cans of salmon for what it would cost for one can of lobster, and yet the one can of lobster would not give a mouthful all round, so that if he has only a certain amount of money he would buy two cans of salmon instead of the lobster.

Q. It seems to me pretty clear that in 1907 and 1908 the canners lost their heads and began bucking against each other until they ran up the price too much?—A. It was too much, more than the article is worth.

Q. And then last summer they came down too far?—A. It was too great a fall, if the lobsters were worth \$4.50 the year before they were worth more than \$2 last summer. That is my opinion. I think they were in error both ways.

Q. It was the same way with regard to codfish which was up to \$6, and now it is down to \$2 and \$3?—A. Yes, and no doubt a quintal of codfish was never worth \$6, although it is something I have not dealt a great deal with in my time.

Q. Which branch of the lobster industry do you think is the most remunerative to the fisherman and the least calculated to deplete the fishery, the canning or the live lobster trade, that is where the live lobster trade can be carried on?—A. I think the live lobster trade would be the least injurious to the fishery, because in the first place they don't want any seed lobsters or any small ones, and they are only going to take the lobsters that should be taken, they only want the full grown lobster or nearly that. I think that is a question that is easily answered. In other words, the canner will take all he can get. There are several men buying, they go out with smacks at the present day and carry the money right in their pocket, and if some smack is there that will not take these small lobsters or the seed lobsters the fisherman will say: 'All right you cannot have any of them.' Another smack comes along and tells the fisherman that he will take all of them and the consequence is that the first smack man loses his fishermen, and perhaps he has already advanced money to the man for his outfit. The live lobster trade would do away with all this, and the fishermen could not take the small lobsters or the berried lobsters because they would have no market for them.

Q. There is another thing I have noticed in recent years, that they are placing the slats more closely together in the traps than they used to?—A. I think so, at least I am told that.

Q. They have narrowed the space down to half an inch?—A. They have not done that here I think.

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Q. We were looking at some of them on the wharf and they run about one inch here?—A. Yes.

Q. Do you think that has anything to do with the capture of small lobsters? Do you think that the capture of these small lobsters can be controlled to any extent by regulating the width between the slats?—A. To a very great extent. If you put the slats close enough together you are bound to capture the greater amount of small lobsters that go in, whereas if the slats were far enough apart so that he could go out any way you would get very few of them. I would just sum it up in that way that wherever it is possible to have pounds have them, and I feel very strongly on the license question, impose a penalty on each and every man that is caught violating the law, so that he cannot fish any longer and he will have to go to some other business.

Q. Is there any other statement you would like to make?—A. No, I think that the last remarks will fill the bill pretty well, the traps should have a certain distance between the slats.

Witness discharged.

Commission adjourned.

CANSO, August 31, 1909 (7.30 p.m.).

J. W. SPROUL, packer, Canso, called and sworn:—

By the Commissioner:

Q. I understand you are engaged in canning?—A. Yes.

Q. How long have you been engaged in the industry?—A. Eight or ten years.

Q. Always in this place?—A. Yes.

Q. Before that time were you interested in the lobster fishery in any way?—A. Yes.

Q. In what way?—A. In catching and shipping.

Q. So that you have experience in both branches?—A. Yes.

Q. What is the ordinary pack of your cannery?—A. We started at 400 cases, and our largest pack was 880.

Q. When was that made?—A. Last year.

Q. And this year what did you do?—A. 750 odd cases.

Q. So that the season here was a fair one?—A. Yes.

Q. When did you begin to pack?—A. Well, our season opens on the 1st of April, but I think it was along the 25th or somewhere about that time before we canned any.

Q. When does the season close here?—A. On the last day of June.

Q. You are supposed to have three months' fishing?—A. Yes.

Q. Does the ice interfere with you here in the early part of the season?—A. As a rule it does.

Q. The ice that bothers you I suppose comes down the gut—drift ice?—A. Yes, but sometimes it comes from Scatari.

Q. What number of boats are engaged fishing for you, one year with another?—A. They vary. The way it is with us here, we do not have our own boats like they do in some places.

Q. No, the fishermen have their own boats?—A. Yes, every one fishes for himself; we buy from them.

Q. Do they deliver their lobsters to you, or do you smack them?—A. We have to collect them mostly.

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Q. What style of boat are they generally, are they double-handed boats that fish here?—A. Usually, yes.

Q. Two men in a boat?—A. Yes.

Q. What is the average catch of a good fisherman? Do you buy by count or by weight?—A. By weight.

Q. How many thousand pounds will an active fisherman generally catch?—A. That is through the season you mean?

Q. Yes, through the season?—A. I haven't made it up that way.

Q. How do you figure it out, by his earnings?—A. By his stocks, yes.

Q. What would his stock amount to?—A. I would say, on the average, that is two hands in a boat, probably \$200.

Q. About \$200, one season with the other? I suppose some more and some less?—A. Yes, we have had them go as high as \$700.

Q. That would be unusual?—A. Yes, but on the average I do not think they would go over \$200.

Q. What part of the season do you think is your best fishing?—A. Well, I think about the 1st of May.

Q. Do you find that the fishing drops off as the season advances?—A. Yes.

Q. When do you get your best lobsters, at the opening of the season?—A. Along about the 1st of May, I think.

Q. Have you any idea what they run at, how many lobsters does it take to make a hundred pounds?—A. Well, the way we buy them here is by weight up to a certain size, and then they go what we call mediums, that is up to 10½ inches and over that size we call markets, and they run to about 90 to 100 pounds, that is on the average.

Q. That is the average all through the season?—A. Yes, I think so.

Q. I suppose the practice of the fishermen here is to fish at the beginning of the season out in deep water?—A. Yes, sir.

Q. And as the season advances they come inshore?—A. Yes, they come in.

Q. Do you find at the tag end of the season you get the small lobsters?—A. No, I don't think it makes any difference.

Q. What is the practice here with regard to small lobsters? There are certain regulations with regard to them, but we find that in very few places have they ever been observed. Have they been observed here, is there any attempt to enforce them?—A. They take them just as they get them, all they catch.

Q. And the fishermen expect you to take them?—A. Yes.

Q. Are you bound to take them?—A. Yes.

Q. Is it the case that you have to take them because if you did not you might lose your fishermen, that they would go to others?—A. That is the idea, exactly.

Q. Have you any idea as to the particular spawning season of the lobster? At what period do you think they spawn on this coast?—A. Well, they spawn all the time.

Q. That is to say they have berries attached to them all the time?—A. Yes, but there is more spawn lobsters here with us in the latter part of the season.

Q. Have you any idea of the proportion of egg bearing lobsters to the hundred, what would be the percentage?—A. To the hundred in count you mean?

Q. In count, yes?—A. Taking the season through?

Q. Taking the season through, what percentage of the total catch are egg-bearing?—A. I would not say there would be more than 2.

Q. Not more than 2 per cent?—A. No.

Q. Is the percentage greater at any particular part of the season?—A. Yes, I would say that in June it was double what it was in April.

Q. Here of course the fishermen bring in all the berried lobsters, and the eggs are handed over to the hatchery?—A. Yes.

Q. Previous to the establishment of the hatchery what was the practice with regard to the berried lobster?—A. Well, if you restricted them from bringing them

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in they would wash them off and they would come in anyhow, that is just about the size of it.

Q. What class of lobster are they usually? Is the spawning lobster a large lobster?—A. Well, as a rule, they run from 8 inches up, but we do get them once in a while smaller than that.

Q. Would you put 8 inches as the limit, you never saw them under that?—A. I would not say that I have seen them, but they mostly run from 8 inches up.

Q. The percentage under 8 inches bearing eggs would be very small?—A. Yes, very small.

Q. I suppose the fishermen here are using altogether the modern trap, what we call the parlour or Wheeler trap?—A. Yes, they use the parlour trap chiefly.

Q. They still use some of the old fashioned traps do they?—A. Yes, once in a while they use the old style trap.

Q. Are most of those who are engaged in the lobster fishery here regular fishermen or are they farmers?—A. Oh, they are mostly all fishermen here.

Q. Do they fish up to the end of the season, or does it slack off towards the end?—A. It slacks off in this way, that the fish gets scarcer anyway, and in the month of June there is generally other fishing coming on and a great many make more out of the other fishing so they go to it.

Q. In some places we find that the lobster fishermen are farmers and others who do not take part in any other fishery?—A. They are all fishermen here.

Q. When they make more profit out of the other fishery they drop away from the lobsters?—A. Yes.

Q. So that you keep open to the end of the season?—A. We have to keep open.

Q. What has been the average price paid the fishermen for lobsters?—A. .What do you mean, one year with the other?

Q. How much do they get per hundred pounds, or per hundred count? What did they get this year?—A. They started in for \$2.50 and I think they went up to \$3.50, that is for weighing lobsters and for market, it began at 8 cents and ended at 16.

Q. Are those lobsters shipped from here to market?—A. Yes, quite a lot.

Q. Do you meet with much loss in getting those lobsters to market?—A. Yes, sometimes we meet with a heavy loss.

Q. How do you generally ship them, by what route?—A. By Halifax.

Q. How do you get them to Halifax, is there a boat calling regularly?—A. There is a boat calls here once a week and she takes them to Halifax and there they are transhipped, the Plant Line.

Q. How long do they take between here and Halifax?—A. Well they get there in two days from here, and sometimes in one day.

Q. You never ship by way of Mulgrave by rail?—A. Oh yes, we have, yes.

Q. As between the two branches of the fishery which do you consider the most profitable to the fisherman, where the facilities for shipping alive exist?—A. I do not just understand.

Q. Out of which of the two branches do you think the fisherman would make the most money, the live lobster trade or in selling to the canner?—A. They sell both to the canner.

Q. Further down the coast they tell us, where they have the facilities for reaching the market, and the live lobster trade is carried on more extensively than it is carried on here that some of them ship direct.—A. They can do that where they have the facilities, they can sell all over the 9 inch lobster.

Q. What I want to know is whether if it can be carried on the live lobster market is more profitable to the fishermen than the canning?—A. Oh I think it is, yes.

Q. The practice of the department in recent years has been to limit the number of licenses to can, do you think that was a wise practice? Should there be any

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restrictions to the number of canning licenses?—A. Well, that is a pretty hard question to answer. I believe in freedom in all cases, if any man is qualified to can I think he should be able to can.

Q. How would you fix that qualification?—A. Well, I think it would fix itself and that if they did not can right they would soon know it.

Q. Of course you know that in some places there has been friction between the fishermen and the canner and complaints have been made that the fishermen did not have a fair show, and, with a view of giving them a chance, for the last two years the Minister has decided to issue co-operative licenses to any group of fishermen, 15 or more in number, who apply for a license, if they show that they are prepared to go into it. In your opinion does that give the fishermen all the relief they have a right to expect?—A. I would think it would because anything less than 15 fishermen would not be sufficient to go into it and can profitably.

Q. Do you think that number is sufficient or do you think that the number should be reduced?—A. As a canner I would not think of starting with 15 fishermen to run a cannery. But certainly if 15 fishermen join together to co-operate and they thought they could make it pay I can see no objection to giving them a license.

Q. Do you think we ought to set up any standard in that case for the cannery. There is no standard required at present, and there are a good many canneries that are very poorly equipped and kept.—A. Well I do not think that any fishermen even if there is a batch of 15, should be allowed to undertake to can lobsters unless there was some one among them who had the knowledge how to do it thoroughly.

Q. They would be obliged to employ somebody would they not?—A. They should be, but even then they would make failures, however, that would be to their own loss of course.

Q. What would be the average cost of a cannery required by a group of fishermen of that kind, what would it cost to put up the cannery?—A. Do you mean the building?

Q. The building and the outfit, the equipment that is necessary, tables, boilers and everything required at a cannery?—A. \$600 or \$700.

Q. There is another question in connection with that matter I would like to ask you; do you think that the product of the canneries should be subject to inspection the same as other food products are?—A. Yes.

Q. Do you think that the present staff of fishery officers would be competent to carry out that inspection?—A. Well, I do not know whether they would or not, I am afraid they would not.

Q. Would it require an expert in the canning business?—A. I think it would.

Q. Do you think it would be a benefit to the trade if an official inspection were insisted upon?—A. I think it would.

Q. Do you think that, as a canner, you could keep in operation here if the 8-inch size limit were strictly enforced?—A. Yes.

Q. It would not cripple you entirely if the regulations were strictly enforced?—A. No.

Q. The canners in a good many places have told us that it would put them out of operation, and the fishermen have told us that if they could not catch the undersized lobsters they would quit, in fact that has been our general experience so far.—A. It would not close us up.

Q. Were the lobsters in your cannery measured this year?—A. Yes.

Q. Did you see any return of the size?—A. No.

Q. Has there been any noticeable decline in the average size of the lobsters within recent years?—A. No, I do not think there has been any decline in size, but I think that the lobsters are getting scarcer than they were years ago.

Q. Is there not a very much larger amount of gear in the water now?—A. Oh yes.

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Q. Do you think any considerable increase in the number of canneries would lead to more fishing?—A. No, I do not think so.

Q. You think there is as much fishing done now as there is likely to be, that there is no room for more fishermen?—A. There is as much fishing done as they can find room for around here.

Q. Have you any idea when lobster canning was first introduced in this neighbourhood?—A. No, it was before I came here.

Q. If there is a decrease in the quantity of lobsters to what do you attribute it?—A. Well, I attribute it to the fact that there are more caught.

Q. You think there are more caught?—A. Yes.

Q. Would you attribute it to over fishing?—A. No, I do not know that I could attribute it to over-fishing.

Q. Has it been due in any way to the destructive methods of fishing, to the destruction of many female lobsters and of undersized or immature lobsters?—A. I do not think you can say so with regard to the small lobsters, but you might, so far as destroying the female lobster is concerned; that is with regard to the lobsters we catch here. If you kill the females off you cannot have many young lobsters.

Q. And if you kill too many immature lobsters you will bring about the same result if they are destroyed before they reach the age of reproduction?—A. Of course if the young ones are killed off in time you will have no old ones.

Q. Do you think there is any necessity for so many different size limits in different places?—A. I would not say there was on the south shore here.

Q. What do you mean by 'south shore?' Do you mean from here to Cape Sable?—A. From here to the Bay of Fundy around the mainland, all that coast.

Q. Now as to the question for a remedy for the condition of affairs that exists. Some people have proposed to the Department as the best way out of the difficulty, to stop canning altogether for a term of years, how would that affect the community?—Well, I think it would affect them around here; it would stop fishing altogether.

Q. That would be your idea, that it would stop fishing altogether. You mean that the live lobster fishing would go on but it would stop canning?—A. No, it would stop fishing altogether.

Q. You think it would close the fishery up altogether?—A. I think it would.

Q. The Lobster Commission of 1898 proposed closing down by sections, each section being closed down for a term of years and the closed areas being moved around gradually until all the shore had been covered. I suppose there is no doubt that the best and the quickest way of recuperating the fishery would be to stop it altogether for a term of years.—A. There is no doubt about that.

Q. Would you regard that as a very severe remedy?—A. Yes, I would.

Q. Do you think that the lobster fishery has reached a condition that requires such a remedy?—A. I do not think it has here.

Q. Other propositions have been made, some have said, "Give us a 7 inch limit instead of an 8-inch limit and we will observe the law." You know that we began with a 9 inch limit which was not enforced and then an 8 inch limit was given because they said they would observe that, and now they want a 7 inch limit.—A. I would not propose anything of that kind. If I were going to propose anything along this line I would propose that the trap should have a certain space between the slats.

Q. What would you put that at here?—A. The fishermen around here use the head of the hammer as a gauge, and that is about an inch. There are a few undersized lobsters caught in those traps, but I should say that if the space were made 1 and $\frac{1}{8}$ inch it would be all right.

Q. What was the space originally?—A. They have always made them about the same here, an inch, but they have clipped the head of the hammer now.

Q. There is generally a smaller space being left now than there was years ago?—A. That might be, I know that up north they make them a great deal less than that again.

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Q. In some places we found that they narrowed it down to half an inch, and the idea in doing so must have been to hold the small lobsters?—A. Certainly to hold the small lobsters.

Q. There is another proposition, some people say, do away with the size limit altogether and protect strictly the berried lobster, at the same time shortening the period by 10 days or a fortnight. How would that appeal to you?—A. Well, I think that would work all right here. I think the way they make the traps here now there are very few under-sized lobsters taken.

Q. You think it would be wise to insist upon a certain space of not less than one inch?—A. I think it should be not less than an inch.

Q. Do you think that the parlour trap is any more destructive than the ordinary trap?—A. It gets more.

Q. Is it that it gets more or that it holds more, that they cannot escape from it when once they get in?—A. That is what I understand.

Q. I understand that if a fisherman is not able to fish for a day or two, when he does lift his traps he finds the lobsters in it, whereas with the old trap they got out?—A. They have not gone out through the laths, but by the way they came in.

Q. Now, it is also proposed that it would be a good idea to compel the lobster fishermen to register and to take out a form of license, for which there need not be any fee collected; that when the fishery officer came around in the spring to pay the fishery bounty all those who intended to fish for lobsters would apply to him and obtain a license which would be numbered, and that in that way they would become in a sense officials and be more likely to observe the regulations themselves and inform on others who violated the law. Do you think it would have that effect? Of course it would follow that if a man were found to be persistently violating the regulations he would lose his license and would not be allowed to fish lobsters?—A. I could not say much on that point.

Q. You do not think that the holding of a license of that kind would make the fisherman any more careful?—A. I do not think it would make him any more honest.

Q. Do you think there is on the part of the fishermen generally any disposition to live up to the regulations? Do you think they see more clearly than they did years ago the necessity for some regulation protecting the berried lobster?—A. I think there are lots of fishermen who would be prepared to throw the berried lobster away, and the undersized also if they were sure their neighbour would do the same, but the way the fisherman generally looks at it is that if the other fellow gets them he might as well get them, too.

Q. Do you not think that if the canner refused to accept them the fisherman would be more liable to observe the law and be more careful?—A. I think he would.

Q. Do you think the blame lies with the canner? Some people say that if the canners refused to take them the fishermen would be obliged to do right?—A. I think that is the case, but if you oblige a man to observe the law you have to follow him up.

Q. Do you think it is a very easy thing to follow him up as far as that size limit is concerned?—A. No, it is hard for the canner to observe it because he would have to measure all his lobsters, and in going around where he has one smack he would have to have two in order to cover the ground. My idea of it is to regulate the traps and have a man look after that business. That would be my idea of it.

Q. We have heard it stated that the fishermen would leave the shore with a trap of the regulation order, and that when they got outside they would alter the traps in the boats before putting them in the water?—A. They could not do that, the man that talks that way has only a very foolish idea.

Q. You think that could not be done generally?—A. No, we would have our officers running around in their cutters, and they would haul up the boats once in a while, and if they found a man with his traps contrary to the regulations, then put the law on him. That is my idea of it, and what lobsters he got in his traps then I would let him handle.

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Q. Are you aware of complaints made by the fishermen that the price paid by the canners is unsatisfactory?—A. I am well aware of that.

Q. Is it, to your knowledge, the case that fishermen have ever lost their catch of lobsters by the canners refusing to accept them? We are told that it has happened where there is a dispute between the canner and the fishermen that the canner has shut down and the fishermen have been left without a market for their lobsters?—A. Since I have been here I have seen one cannery shut up altogether, last summer, it went out of business, and that is the only one I know of.

Q. Was that on account of a dispute with the fishermen about the price?—A. Well, yes, he could not afford to pay the price, or that is what I suppose it was.

Q. Is it to your knowledge that there has been any combine among the packers to fix the price?—A. Well, only verbally, as far as I know. I will tell you the way it is. Some one starts the price, and then they all follow, but the first thing you know is that one fellow will commence to give a little more and then the others have to increase the price too.

Q. That is my experience of how it works?—A. That is the way it is around here, and as a canner I can say there has been no money in it because one fellow is trying to cut the other fellow's throat.

Q. Are the present facilities for the export of live lobsters from this neighbourhood sufficient, do you think?—A. Well, they could be improved, they are not what they should be.

Q. You think they could be improved?—A. Oh, greatly.

Q. Do you know anything about the matter of pounds. There is only one, as far as I know, along this coast, and that is up at Fourchu here? Have you any remarks to offer concerning the advisability of increasing the number of pounds, do you think it is a good method of protecting and saving the berried lobster?—A. Well, I think if the pounds were properly located and properly handled it would be all right.

Q. Do the facilities exist in this neighbourhood for establishing a pound?—A. Well, I think it could be established here.

Q. What do you think of the pound as compared with the hatchery?—A. I know that the hatchery is hatching lobsters, but whether they grow up after that or not I could not say. It is the same way with the pound, I do not say but it would pretty nearly have the same effect, although the mother lobster would be there in the pound to look after the young lobsters, that is if they do look after them, which I am not prepared to say whether they do or not. I would not propose a pound like they had down there. My way for the pound would be to take some inlet that covered a great deal of space with a narrow entrance; of course we could get them here.

Q. It is not every shore that offers the facilities for them?—A. You could fasten up the mouth of a large inlet such as I have described and put the berried lobsters in there and let them have plenty of room.

Q. You must have a free circulation of currents through the place, there must be a free circulation of water?—A. That is what I understand.

Q. As to the hatcheries, would you advise an increase in their number?—A. Under the same method that is being carried on here, I would, yes, either pounds or hatcheries.

Q. Has there ever been any fishing or canning out of season here?—A. I hear of it, that is all I can say about it.

Q. What do you think of the usefulness of that method of labelling cases? Do you think it serves any good purpose? Does it prevent packing out of season or the sale of illegally packed lobsters?—A. Oh, well, I suppose it would have a tendency to do so.

Q. What are the wages paid to the leading hands in the canneries in this neighbourhood. You have a foreman?—A. Yes, we pay him about \$50 a month.

Q. And what do you pay the sealer?—A. About the same amount.

Q. Is that with or without maintenance?—A. Without maintenance.

Q. And what do the girls or minor hands receive?—A. About \$10 to \$15 per month.

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Q. I do not know, Mr. Sproul, there is anything else I want to ask you. Perhaps Mr. Sinclair may have some questions he would like to ask you.

By Mr. Sinclair, M.P.:

Q. I think, Mr. Commissioner, you have gone over the ground pretty thoroughly. I was not, however, very clear about what Mr. Sproul proposes. I understood you to say, Mr. Sproul, you would adopt a certain style of trap?—A. Not a style—well, I suppose in one way it is the style—but that a certain space be insisted on.

Q. That is between the slats?—A. Yes, between the slats of the trap.

Q. A space wide enough to allow the lobsters under eight inches to escape?—A. Yes.

Q. What space would that require, about?—A. Well, as I said, I think the space is an inch. I measured a hammer today and I knew that is the width the fishermen leave when they make the trap, they just place the head of the hammer, and shove the next lath up to it, leaving that space. I know there are very few small lobsters taken here now, and I think if the space were made $\frac{1}{8}$ th of an inch more it would give a little more freedom.

Q. Would the lobsters go out?—A. Yes, they certainly sift out whenever the trap is shifted; the lobster goes out if he can get out, tail first.

Q. I have heard the statement made that the lobster will not go out, that he is inclined to stay in and he pulled up rather than go out, you do not agree with that?—A. I do not agree with that.

Q. Do you mean to say that a $1\frac{1}{8}$ inch space will allow an 8-inch lobster to escape?—A. All I can do is to show you the way it turns out. I would say that the way they make the traps now you will not find but very few under $7\frac{1}{2}$ inches in the traps, we do have some undersized but they are generally from $7\frac{1}{2}$ to 8 inches and we really find lobsters of 8 inches trying to get out, they may be partly out when the trap is hauled, but whether he could get out of the space I have named I am not prepared to say.

Q. You do not want to let a lobster of 8 inches out, but one under 8 inches?—A. Yes.

By the Commissioner:

Q. A lobster of very considerable size will get out of an $1\frac{1}{8}$ -inch space I should think?

By Mr. Sinclair, M.P.:

Q. Our space in this part of the province is wider than they make it in other parts of the province?—A. Yes, and that goes to prove it in my opinion, that with a smaller space you hold the small lobsters, the little fellow gets in and can't get out.

Q. I understood you to say that in your opinion it would not stop the packing business if the law were strictly enforced?—A. I do not consider it would; no that is here.

Q. That is a question the Minister has to consider whether he will send out orders to enforce the law strictly and fine every man that takes or catches and retains the lobsters under 8 inches. Provided that were done, and the instructions carried out to the letter, do you think the business would still go on and be profitable?—A. If that were done and strictly enforced, I for one would agree to it.

Q. You think you could continue your business as well?—A. Yes, if it were enforced right straight through.

By the Commissioner:

Q. Do you think the majority of the fishermen would continue fishing too?—A. Yes.

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By Mr. Sinclair, M.P.:

Q. Are the lobsters larger here at Canso than they are at other parts of the coast?—A. I do not consider that they are any larger here than on this southern shore, but when you go north they are smaller.

Q. It was stated last winter in the investigation at Ottawa that the lobsters were smaller even up the bay here than they were here at Canso?—A. They do run smaller up in the bay.

Q. What do you mean? Take 100 lobsters that you will get a larger number of small lobsters up there?—A. If you catch a thousand lobsters up there you will not get as large a percentage of 'markets.' That varies around here a little, when we get up into what we call Dover we do not get as many market lobsters as we do back of the Cape. There the lobsters run larger.

By the Commissioner:

Q. You have a very good bottom for lobsters here?—A. Yes.

Q. They prefer reefs and a hard rocky bottom?—A. Yes.

By Mr. Sinclair, M.P.:

Q. Do you notice the small lobsters here in any larger numbers since the hatchery started?—A. I cannot say about that.

Q. Is there any evidence that the lobsters produced in the hatchery are living and thriving?—A. I do not think you could get any evidence of that any more than just what you would judge by indications. That is my theory that the hatchery is good, that if the lobsters are hatched there must be some of them survive. It is the same way with the pound, if they are hatched in the pound there will be some of them survive. There is no room at all to say that the hatchery or pound is an injury to the fishery, it is all for the benefit of the industry, even though you only get one out of twenty or one out of 100 to mature it must be some benefit.

By the Commissioner:

Q. There is no doubt the best way of protecting the berried lobster would be to put her back in the water when she is taken from the trap?—A. There is no doubt about that.

By Mr. Sinclair, M.P.:

Q. Do you think that the depletion of the lobster is gradual, that from the time you went into the business down to the present time it has been getting worse from year to year?—A. Well, no. I cannot say there is much difference since I have been in it. There is a difference this way that where they used to have say 150 boats they will have 200 now; there are more men, but I think they get about the same quantity of lobsters. I think there is the same quantity of lobsters taken in the same territory, but it takes more traps to catch them, that is to say that the fishermen are now fishing more boats than they used to and there are more fishermen engaged in it, at all events that is the way around here.

Q. That is proof that the fish are becoming scarcer, that it requires probably 250 boats to catch the same number now as 150 boats would catch a few years ago.—A. Well, there are more fishermen at it. What I mean by that is that there were just as many lobsters canned in Canso this year as there were when I first came here.

By the Commissioner:

Q. But did you can the same class of lobsters then that you are canning now?—A. The same class.

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Q. Did you get as many small ones brought into you then?—A. Just the same. But before I came here I do not think there were very many 'market' lobsters shipped as a rule; of course there were some, but not so many as there have been of late years.

Q. Can you give us any idea of the proportion of the catch that is shipped to the market now?—A. In money's worth?

Q. My idea was in number, in quantity, but if you can give it to us in money let us have it.—A. Well, in money's worth, I will speak for myself, that is all I can speak for, the market lobsters for the last few years have run us about \$7.00 to \$10.00 on the canning; that is about 7-10ths.

Q. That is a large proportion?—A. That is what I have, and that proportion is larger with us than with most any other cannery that we have around this Cape here. We get more market lobsters.

By Mr. Sinclair, M.P.:

Q. You said that the facilities for shipping might be improved on, in what way?—A. If we had two boats per week, if we could ship twice a week from here we would get a better result, because now we have to hold our lobsters a whole week and a good many of them die.

Q. Boston is your chief market?—A. Boston is our natural market.

Q. You cannot send them by rail?—A. We could send them by rail, but the experience has been poor, it takes too much if they have to go by express.

Q. Can you tell us what it does cost to send 100 pounds of live lobsters by rail to Boston from here?—A. It costs \$2.25 per hundred weight by the carload.

Q. And for smaller parcels how much?—A. For smaller parcels it would be nearly twice that, I do not know exactly, I did know, but I haven't it right in my memory. We have shipped carloads and I know what it costs.

Q. Did I understand you to say that you think the lobsters are as large here as they are in the Bay of Fundy?—A. No, take it up in the Bay of Fundy and the lobsters run larger there, that is there are more 'markets' and less canning lobsters. There are hardly enough canning lobsters there to make it worth while.

Q. Then there was good reason for making the size limit larger in the Bay of Fundy than on this coast?—A. In the Bay of Fundy I think it would be better for them to go out of the canning of lobsters, that is my idea of it. It would be better for the fishermen.

By the Commissioner:

Q. How far up the coast would you propose to do that?—A. When I am speaking of the Bay of Fundy I speak of Briar Island, in the bay, and as you go around Cape Sable.

Q. The facilities for shipping alive to the market are very considerable there, and it is a question whether the live lobster fishery should not be encouraged there and the canning discouraged by the regulations?—A. That is my idea that up in this district where they can have the live lobster market they would on the average do better if they did not can any.

Q. Have you any further remarks you would like to volunteer? If there is anything more I will be very glad to have it taken down.—A. I would like to state that if they are going to make any laws and rules cutting off some here and lengthening out some there I hope that our hon. member will see that we have fair play.

The COMMISSIONER.—There is no doubt about that.

By Mr. Sinclair, M.P.:

Q. What do you propose, in what way?—A. Up to the westward they are clamoring for a nine inch law and a full season, as long as we have here; I do not consider

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that is right. No one would object here to them running a nine inch law up to the time that we could commence to fish here, in fact, as we know, they have the market up to that time, but after that they should be deprived of it.

By the Commissioner:

Q. They begin so much earlier than you do?—A. Yes, they commence on the 1st of January and they have a long season before we can do anything, and if they are allowed to go on in our season it makes the lobster of very little value in the market when we begin to fish so that we are almost entirely excluded from the market.

By Mr. Sinclair, M.P.:

Q. When do the packing places open in the west?—A. At the same time they are allowed to ship, the 1st of January.

Q. What do you propose, that they be restricted to a shorter season and shut them down altogether in the spring?—A. No.

Q. What is it?—A. I propose that as their harvest is in the early season, before we start, well, say the first of May—

Q. I understand they have an advantage over you in that way but what do you propose, to make a law taking from them what they have now?

By the Commissioner:

Q. How much would you shorten them up?—A. I would shorten them up to the 10½-inch limit after the 1st of May on that coast, they have had the 9-inch limit from the 1st of January, and if they were shortened up to the 10½-inch limit about the 1st of May it would give us a better chance down here.

By Mr. Sinclair, M.P.:

Q. And your proposal is to have that west of Briar Island is it?—A. Halifax.

Q. That west of Sandro, or whatever place it is they start at, no fisherman or packer be allowed to handle any fish less than 10½ inches after the first of May?—A. Yes, and it would be better for them. They have from the first of January up to the 1st of May to catch and run to the market 9 inch lobsters, and it would be my idea that in fairness to us in this part of the province they should stop that then and go to the 10½ inch.

By the Commissioner:

Q. How would it affect them up there if the limit were placed at 10 inches for the whole season?—A. They would not do as well the first part of the season. If these people would consider the matter I think they would see that they would not lose anything much, they might think they would lose if they were restricted to that. I don't believe in trying to choke anybody off, or to put them out of business. It would not affect us down here if they were catching down to 9 inches in one season and up to the 1st of May, and therefore I do not feel like cutting them off that, but I think it is only in fairness to us that they should stop it on the 1st of May, that is, this 9-inch business, in order to give us a chance.

Q. Is there any reason why, because they have dropped the limit in Boston for their own purpose, we should follow the Americans in doing that?—A. No, I cannot help what they do, but I think it would be better for ourselves if we kept the size limit up for the live lobster market, that is my idea.

Witness discharged.

Commission adjourned.

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CANSO, September 1, 1909 (9 a.m.).

WILLIAM FANNING, fisherman, Canso, called and sworn:—

By the Commissioner:

Q. Are you engaged in the lobster fishing?—A. Yes.

Q. For how long have you been engaged in it?—A. For about 35 years.

Q. Then you will remember it from the beginning?—A. Pretty nearly.

Q. You, of course, fish your own boat and gear?—A. Yes.

Q. What canners and packers have you been fishing for?—A. Always for the Portland Packing Company.

Q. What number of traps do you fish?—A. I fish from 150 to 155 and sometimes 160.

Q. That is in a two-handed boat?—A. Yes.

Q. One season with the other, about what time do you generally begin fishing?—A. We start in about the first of April to get ready.

Q. But can you generally get to work at that time?—A. No, not much before the middle of April.

Q. That is on account of the ice?—A. The ice, and on account of bad weather, one thing and another, it keeps us back until along about the 10th.

Q. Do you always find lobsters there when you begin?—A. Oh, yes.

Q. Have you any idea that you will get them there in March as well?—A. Yes, I have fished one March.

Q. How were the lobsters then?—A. They were not quite so good.

Q. It is the case that they are not quite so full of meat in the early part of the season as they are later?—A. No.

Q. They will not weigh as well?—A. They will not.

Q. How do you generally sell your lobsters, by weight or count?—A. By weight.

Q. Have you always sold by weight or only recently?—A. Always by weight except market lobsters which are sold by count.

Q. How long have they been fishing market lobsters here?—A. A good many years, I cannot exactly say how long but a good long time.

Q. It is not a recent affair?—A. No.

Q. Did you always do it, from the beginning?—A. No.

Q. When you begin fishing in what depth of water do you generally commence?—A. All the way from 15 to 12 fathoms and 10 fathoms.

Q. And do you continue long in that depth of water?—A. Oh no, we continue in that depth of water until the first of June and then we shift into shoaler water.

Q. How close in do you come?—A. Right in against the rocks.

Q. Where is the most of your fishing done, to the eastward here or in the bay?—A. Most of the boats fish to the eastward.

Q. You have a very good bottom for lobster fishing here, have you not?—A. Yes, very good.

Q. I suppose it makes considerable difference what the bottom is, you prefer a rocky bottom with reefs about?—A. Yes, a rocky bottom.

Q. You do not do as much on a sandy bottom?—A. Not in the spring, but in the summer time, in June.

Q. Then you get into a smooth bottom?—A. Yes.

Q. Is there any station of the Fishermen's Union here?—A. Yes.

Q. Are you a member of it?—A. No.

Q. Do you know the number of the Union here?—A. 27 is the number.

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Q. Are there many fishermen engaged in the fishery here, what number of boats would you say fish out of this harbour?—A. Lobster fishing?

Q. Lobster fishing, we are talking only of lobster fishing?—A. I do not know exactly.

Q. Would there be 50 or 60 or 100?—A. There are over 100 anyhow, I know that.

Q. What number of canneries have you here?—A. Three.

Q. And those 100 boats would be fishing for the three canneries?—A. Yes.

Q. Who are the canneries owned by?—A. Matheson & Scott, the Portland Packing Company and Mr. Sproul.

Q. When did canning begin here?—A. I could not rightly say.

Q. You have been fishing lobsters for 35 years?—A. Yes.

Q. They have been here 35 years?—A. Yes, there was a cannery here 50 years ago. The first man that ever canned lobsters here was old man Brown who canned lobsters down on the beach about 50 years ago.

Q. How long has the Portland Packing Company been here?—A. I expect they must have been here certainly 40 years. I know I have been fishing around 30 years and they were here when I commenced.

Q. And they have carried on uninterruptedly ever since?—A. Yes.

Q. What style of trap are you using now?—A. Well, they are using mostly all kinds of traps, different kinds. Some have the three headed traps, what we call the parlour trap, and some use the old fashioned trap.

Q. I suppose that in the beginning all used the old fashioned trap?—A. Yes.

Q. When did you begin to change the trap?—A. Somewhere about 10 or 12 years ago they commenced to change to these new traps.

Q. What was the idea in changing?—A. They were better they thought.

Q. Are they better in your experience?—A. Yes, the parlour traps are better, chiefly on account of the way they hold the lobsters.

Q. When you cannot fish them regularly they hold the fish?—A. Yes, but the old fashioned traps the way we fished them inside, every day, were almost as good.

Q. Has the number of fishermen increased greatly within your recollection?—A. Oh yes.

Q. How many were engaged in fishing when you began?—A. I could not say, but there were not much over one-half the number that there are now.

Q. Did you fish as much gear, as many traps then?—A. No.

Q. Did you catch as much fish?—A. Oh yes, we got more fish.

Q. With less gear than you are using now?—A. Oh yes.

Q. How do the fish run now as compared with 35 years ago?—A. They run a great deal smaller, most of them.

Q. They are much smaller now?—A. Yes, I can remember when we fished at first to the southward, if we set 100 traps we would haul 1,000 or 1,100 weight of lobsters, and out of that probably we would not get 20 small lobsters on the average, under 9½ or 9 inch lobsters.

Q. They used to look upon 9 inch lobsters as very small in those days?—A. Yes, I have seen 21 or 22 lobsters in the pot and they would all be large lobsters at that time.

Q. Do you catch as large lobsters now?—A. An odd one.

Q. Do you make the hoop in the net any smaller than you used to?—A. No, they make them bigger, although some fishermen have the idea that the smaller hoop is better.

Q. Do you think it makes any difference?—A. I think so, yes. I think that the right size of hoop, a little large, will get you bigger lobsters.

Q. Some hoops are so small that they will not let large lobsters in?—A. I think so.

Q. You think that the number of fishermen and traps has greatly increased?—A. Yes.

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Q. Has it doubled?—A. It has since the time I started fishing.

Q. Did you say that the fish were large? How are they at different seasons of the year, how are they when you begin fishing, and in the middle of the fishery, and towards the end of the fishery, how do they run?—A. When you commence first at the spring of the year they are generally very small, and as it gets along in the season the lobsters commence to get a little larger.

Q. About when would that be?—A. About in May, about the 1st of May you will get good lobsters.

Q. Is it then you make the best fishing?—A. Yes, May is the best month here for fishing.

Q. And towards the end of the season, how would it be?—A. Towards the end of June the fish slack off and we do not do much. The lobsters will not pot very well then, I do not think they get into the pot some way or other.

Q. Do you think they are more lively then or are they more sluggish?—A. No, you get them in June just as smart as at any other time. I have the idea that the lobsters when it is coming on pretty close to the spawning time, do not trap.

Q. Now as to the matter of spawning, when do you find the spawn lobsters in the greatest quantity?—A. We find the greatest quantity in June, that is when we get most spawn lobsters.

Q. What part of June?—A. Well, say from the first to the last of June we find the most spawn lobsters.

Q. What proportion of the total catch of lobsters are spawn lobsters, out of every hundred how many do you think are egg-bearing lobsters?—A. I could hardly say, but out of every hundred there might be ten.

Q. That is all through the season?—A. Well, I would not like to say as to the season, there might be more at the latter part of the season, in June, than there would be at the first.

Q. Do you think that 10 per cent of the egg-bearing lobsters would be a very large proportion? Do you think it runs up as high as that?—A. I would not like to say for sure, you know, because in the beginning of the year we do not see but very few.

Q. That reduces the percentage very largely?—A. Yes, so it would, and the most of our spawn lobsters we see from the 1st of June until the last of June.

Q. Do you not think 10 per cent is too large a percentage?—A. Yes, that would be a little too large, put it down say to 5 per cent, I should think that would be about it.

Q. You know what the regulations are with regard to the fishing season, which ends in June, and with regard to the berried lobsters, the fishermen are supposed to put them back in the water, and they are not supposed to take fish under 8 inches. Have these regulations been observed to your knowledge?—A. I do not know. I know for my part that since they have commenced taking the berried lobsters at the hatchery we bring them all in.

Q. What became of them before that time?—A. They used to let them go, a great many fishermen would, that is what I used to do.

Q. Do you think they were all let go?—A. That would be a hard thing to say.

Q. We have heard a good many canners say that they took them, they did not make any bones about accepting berried lobsters, and we have also heard of cases where they were frequently brushed off, that is where the canner refused to take them they arrived at the cannery without the eggs.—A. That is a pretty hard question to answer.

Q. Now as to the size limit, has that ever been observed? Will the canner take everything you bring, and does he expect you to bring everything you catch?—A. I do not know whether they expect us to bring everything, but they take them.

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Q. Of course there are certain small lobsters which you do not bring them, but where would you draw the line, how small do they take them?—A. That is hard to say, I was measuring them with Mr. Davis, and they took them as small as 5 or 5½ inches.

Q. Do you know how they measured, do you know whether there were many under 8 inches?—A. I could not say as to that, I never asked Mr. Davis.

Q. What percentage would you say of the fish that you take now are under 8 inches?—A. I could not say.

Q. If the law were strictly enforced how would it affect the fishermen, would they lose a great deal?—A. No, I do not think they would lose a great deal, the 8 inch lobster is pretty small.

Q. Now, as to the means of getting the fishermen to observe the law closely, not only here but everywhere, there are many places where the lobsters run smaller than they do here, it has been proposed to ask the fishermen in the springtime before they begin the lobster fishery to take out a license, there need not be any charge for it you know?—A. Yes.

Q. And every fisherman would have to take out a license and I daresay, he would have to sign it and to guarantee that he intended obeying the law before he was allowed to fish. What do you think would be the effect of any such regulation, would it have a good effect, or would it amount to anything?—A. I do not know.

Q. Those who propose it think that the fisherman having done that would feel himself obliged to obey the law and would, perhaps, inform on those who did not; the idea is that the man who was known to be persistently breaking the law would not get a license and could not fish. How would that work as a means of enforcing the law?—A. That would work all right, but there are lots of fishermen who are fishing lobsters would not need any license at all.

Q. At the same time we know there are many who do?—A. Oh yes, I know that.

Q. And it is to get after those fellows that we have to make regulations and enforce them vigorously, it is not for the careful man?—A. I think that would be a very fair way.

Q. Do you think it would be fair if a man was proved and known to be breaking the law regularly to debar him from the privilege of fishing lobsters?—A. I think so.

Q. What did you get for the lobsters in the early days when you first began fishing? At what rate were you paid?—A. We were paid 85 cents a hundredweight.

Q. Have you any idea how many lobsters it took to make a hundred weight then?—A. It took then about 22 lobsters.

Q. They must have run pretty large?—A. When we used to be putting them in boxes we used to weigh them, we had boxes to weigh 200 at that time, and we counted them and found 142 used to make 200 weight.

Q. That is not quite so large, but still it is good?—A. Yes.

Q. 200 weight I suppose in those days meant 224 pounds, what is the weight of a hundred weight now?—A. 100 pounds

Q. Was it not then 112 pounds to the hundredweight?—A. No, we used to go 100 pounds to the hundred weight.

Q. How many lobsters does it take to weigh 100 pounds now?—A. They run not much over 1 pound apiece, that is in the first part of the season, and later on, along when the bigger lobsters commence to crawl in in June and May, it will take less.

Q. How much less?—A. Probably it would take 2 lobsters to weigh three pounds.

Q. And at the very tag end of the season, at the end of June?—A. They run just about the same.

Q. They are not smaller then, you do not get more smaller ones then?—A. You may get a few smaller, and you may also get a few larger ones.

Q. What are you getting now for your lobsters?—A. Last year it was \$2.50.

Q. That was this year?—A. Yes.

Q. And last year you got?—A. From \$3.50 up to \$4.50.

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Q. And the year before that?—A. We got \$3.50 and for the market lobsters we got from 8 to 10 and 12 cents apiece.

Q. This year was it \$2.50 all the season through?—A. No, they came up in June to \$4, in the latter part of June.

Q. As high as \$4?—A. Yes, and the "markets" came up in the latter part of June to 15 cents.

Q. That is the market lobsters?—A. Yes.

Q. How was that matter of price arranged, who fixes the price paid for the lobsters?—A. I could not tell you that, I do not know who fixes the price, I suppose it is fixed by the men.

Q. You have fished always, you say, for the Portland Packing Co.?—A. Yes.

Q. Is it a matter of arrangement between you and they, or are you told by them what the price is to be?—A. No, they never tell me what the price is to be, I very seldom know what the price is to be until we commence fishing, and we may probably be fishing for a month before I find out.

Q. You are always satisfied to let them settle that matter?—A. Yes.

Q. Do you think it is fairly done?—A. I do not know that it is altogether fairly done, but they do it.

Q. Are you satisfied yourself with the price you get?—A. We have to be satisfied I suppose.

Q. Is there any competition? If one canner will not give you what you want can you go to another and expect to get more?—A. There is never any difference here in Canso.

Q. The price paid is always the same by all the canners?—A. Always the same by all the canners.

Q. Do you think there was any understanding, or was there any arrangement this year?—A. I could not say whether there was or not.

Q. You do not know whether there is any combine on the part of the canners generally to fix the price?—A. I do not know, I am not sure.

Q. Has it been your practice to take to the factory everything you catch?—A. Yes.

Q. And do you expect the canner to take what you bring?—A. They always do.

Q. Do you think there is any more general disposition on the part of the fishermen to observe the law especially with regard to the berried lobster than there used to be?—Are they beginning to see the necessity of protecting the berried lobster and saving her?—A. I think so.

Q. That is a question that is discussed among the fishermen I suppose, occasionally, is it not?—A. Oh very often.

Q. What is your opinion about the berried lobster? Do you think it is a vital matter in connection with the fishery that she should be saved?—A. Yes, I think so, I think she should be saved.

Q. What do you think is the best way to save her?—A. The same as we have been doing, at least, I think, that is about the best way of doing so.

Q. What is taking her to the cannery to have the eggs scraped off and taken to the hatchery?—A. Yes, I do not see any other way.

Q. Do you receive anything extra for them?—A. No.

Q. There is nothing extra, they simply come to the cannery and are weighed in along with the rest of your lobsters?—A. Yes, sir.

Q. Have you ever remarked as to the size of these berried lobsters how do they run?—A. They run from between seven and eight inches.

Q. Are they as small as that?—A. Yes, I noticed some of them when I was measuring them with Mr. Davis, and we often pick them out and they go eight and a half inches.

Q. There are some at eight inches, but did you see any at seven or seven and a half inches?—A. Not many, you would see a few.

Q. How do they average, are they not a good sized lobster generally?—A. Yes, about a nine inch lobster.

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Q. You never saw any very large ones bearing eggs?—A. No, not great big lobsters.

Q. In the early days of the fishery did you see any larger female lobsters?—A. No, not like the male lobsters.

Q. Fishermen all know the difference between the female and male lobster?—A. Oh, yes.

Q. Are you aware of any fisherman having lost his catch of lobsters by reason of the canner having refused to accept them?—A. No.

Q. With regard to the matter of issuing licenses to the canners, what do you think about that, do you think that the number of canners should be restricted?—A. Well, I would say the more canners the better.

Q. The more canners the better?—A. Yes.

Q. For what reason?—A. Well it would make them more inclined to raise the price somewhat.

Q. Do you think there would be some competition?—A. Yes.

Q. Do you think an increase in the number of canneries would lead to an increase in the number of lobsters caught?—A. I do not suppose it would.

Q. Are there as many fishermen engaged in the business now as there would be, that is from here, if there were more canneries?—A. I think there are as many as there would be from here, yes; I do not think there would be any more engaged in the lobster fishery here than there are unless there would be some outsiders come in.

Q. How are all those who fish lobsters here, are they regular fishermen who go into other fisheries as soon as they knock off the lobster fishery?—A. Yes.

Q. Are there any shore men or farmers who go into the lobster fishery?—A. There are no farmers in it here.

Q. You know there has been a complaint on the part of the fishermen that they have not always had fair play from the canner?—A. Yes.

Q. You have had it here have you?—A. Yes, we have had lots of it here.

Q. Well, as a means of putting an end to that the Department has, for the last couple of years, been in the habit of issuing what they call co-operative licenses where a number of fishermen group themselves together and apply for a license in the name of one of themselves. Do you think that furnishes a way out of the difficulty for the fishermen?—A. I do not know whether it would or not.

Q. If the fishermen are not satisfied with the price they are offered by the canner, the only recourse seems to be for them to can on their own account?—A. Yes.

Q. And does that offer them the means of doing that? Is there any other way that the fishermen could be given an opportunity to do better?—A. No, not that I know of, I do not think of any other way.

Q. Do you think that one fisherman with the other, they would make more money by canning for themselves than they would by fishing?—A. On that score they would if they canned for themselves, they would make more money.

Q. What capital would it require do you think? It would need some money to put up a cannery and outfit it?—A. Yes, it would require some capital, but I could not say how much.

Q. For yourself, are you content to go on fishing?—A. Yes.

Q. You think that way it works out better than going into canning?—A. It would with me, because I do not know anything about canning.

Q. Now, as between the two branches of the fishery, the canning and the export of the live lobsters, which is the most profitable to the fishermen?—A. Oh, the canning of lobsters.

Q. You think you would make more by selling the canning lobsters than you would by what you call the market lobster?—A. You do make more anyhow; the way it would be there are some fishermen would make more and some would not, because there are some fishermen who fish off outside, on the outside ground, and they would catch more market lobsters and they would make more. But these fishermen

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who are fishing inside do not get as many market lobsters, and they will make more out of canning.

Q. Are there any fishermen who export their own market lobsters?—A. No.

Q. They all sell their lobsters here to the merchants who do the exporting of them?—A. Yes.

Q. And no one fisherman ships on his own account?—A. No, sir.

Q. How does the present season, from the 1st of April to the end of June, suit this particular coast?—A. I do not think it suits it very well at all.

Q. What do you think?—A. Well, in April there are very few lobsters caught at all, that is one month you might say that is the worst, on account of the drift ice that comes down on top of us, and we have difficulty in getting our pots out. The fishermen have to carry their pots and put out their traps, and will get them out and probably the ice comes down and you have to lose the best part of April in some springs, not every spring, but it is a very rare spring you will not be delayed on account of the ice. Then again in May we mostly have a pretty good month, and in June again when we begin to put the pots in towards the shore to catch the lobsters we are very apt to have storms and lose all our pots, you are powerless, and some fishermen lost every pot they had on account of having them all in among the breakers and rocks. So we lose probably the best part of June and some of them do not get a half a month of fishing, so that I think we have a very short time here for lobster fishing in the spring. Put it altogether we have not more than one month steady fishing out of three.

Q. If you do not approve of the season as at present, what would you do?—A. I would sooner have two months in the fall of the year, and I think it would suit the fishermen better here.

Q. And no fishing in the spring?—A. Well, if you take that good May month, or two months in the spring, maybe it would not suit all fishermen, but I am only just talking, I think two months in the fall of the year would be all right.

Q. What two months?—A. We would say in October and November.

Q. You want to fish in October and November?—A. Yes.

Q. That leaves it pretty late?—A. Well take September and October, which would be good months.

Q. Do you think that most of the fishermen would be willing after fitting out for summer deep-sea fishing to knock off again for these two months and begin lobster fishing again?—A. As far as I can understand from talking to them, they all seem to be satisfied they would like to have two months in the fall of the year and two months in the spring.

Q. Well, if we have already overdone the fishery by catching too many lobsters, don't you think we would be doing it to a still greater extent if we lengthened the season to two months in the spring and two months in the fall?—A. I could not say.

Q. The lobster fishery is not as good as it was?—A. Oh, no.

Q. What has brought about that failure?—A. I would say so many catching them.

Q. You mean to say overfishing?—A. Yes.

Q. And if you continued to fish in the fall as well as the spring, would you not be fishing them to a still greater extent than you are at the present?—A. Well, yes, it would be to a greater extent, I suppose.

Q. Do most of the fishermen continue fishing lobsters right up to the close of the season, or do they knock off and begin to fit up and get ready for the codfishery?—A. They begin to fit out for the codfishery, some knock off at the beginning of June and commence it.

Q. The codfishing is on at that time?—A. Yes.

Q. And when do you have the spring mackerel fishery here?—A. That commences along about the first of June.

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Q. What do you think is the best way of providing for these berried lobsters? Here, of course, you have the hatchery and you bring the berried lobsters to the can- nery and the eggs are taken to the hatchery, but in places where there is no hatchery what would you think is the best way of providing for the female lobster, for her protection??—A. I would say to let them go.

Q. Let them go back into the water?—A. Yes.

Q. That is as they come out of the trap put them back in the water?—A. Yes.

Q. Do you think that the fishermen would do that on their own account if they all understood the necessity for it?—A. I think the majority of them would.

Q. You think they would?—A. Yes.

Q. You have told us already you think they are beginning to learn that it is necessary to protect that lobster if they want to have good fishing in the future?—A. Yes.

Q. Now what do you think of the matter of the size limit? Do you think that ought to be enforced strictly?—A. Yes, I think so.

Q. And you think it could be enforced and that the fisherman could still go on fishing and make enough to pay him?—A. I think so.

Q. And you think the canner could still go on canning if he did not receive those lobsters at all, if he were confined strictly to the 8 inch limit?—A. Yes, I think he could.

Q. Is there any time in the season when the lobsters are not fit for food?—A. Oh yes.

Q. When would that be?—A. That would be in July and August.

Q. Why are they not fit for food then?—A. They are shedding their shell, a good many of them.

Q. Do they do that after they have spawned?—A. Yes.

Q. Does the female always spawn before she sheds her shell?—A. Yes.

Q. What do you think is the spawning month when the female lobster hatches out her eggs?—A. They hatch them out in July and August. I have caught them in July and August with the shells off them and they are just raw meat.

Q. Do you know whether there is any fishing carried on here after the close of the season, that is the legal season in June?—A. No, I do not know of any that I am sure of.

Q. There is not any that you are sure of?—A. No.

Q. Have you ever heard that it is done?—A. Oh yes, I have heard of it.

Q. Do you think that by fixing say a one-inch space between the slats in the trap, it would allow any proportion of the small lobsters to escape?—A. I do not know about that.

Q. Supposing we did away with the size limit and tried to govern that by the establishment of a certain opening between the slats of, say 1 or $1\frac{1}{8}$ or $1\frac{1}{4}$ inch; would that allow a fair proportion of small lobsters to escape?—A. I do not know that it would, it might, there might be some of them that would crawl out, but take the most of those small lobsters and they will crawl out anyway, if the space is wide enough you will scarcely ever get a small lobster, they crawl out through the open- ings.

Q. Do you think it is the case that a small lobster would escape with a larger opening?—A. Yes I think it would, it would give him more chance.

Q. Some people tell us that there is no use disturbing the present arrangement of slats at all, because the moment the trap is disturbed the lobster will seize hold of something and not try to escape, but others say they will try to escape?—A. I have seen them trying to escape through the laths and some of them were almost half way through, and others I have seen with their heads through.

Q. Could we protect the lobster to some extent by establishing a certain opening, and what should that opening be? Your opening here is larger than it is in a good many places, it is pretty nearly an inch here?—A. Yes, pretty nearly an inch.

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Q. In some places we have been it is only half an inch.—A. Well, I think with the laths an inch apart it would be all right.

Q. What size lobster would go through an inch opening?—A. A 5-inch or a 5½-inch lobster would go out I think through an inch opening; they go out through a very small space.

Q. That is my own experience and you would be surprised at what an opening a small lobster would go through.—A. Yes, I have often seen them go through the mesh in the heads of the trap and you would never believe they would get through that.

Q. What is the size of the mesh?—A. The size is 3½ and 4 inches, some make it 4 inches, that is what we used to do, but we are not making them quite so big now and when they are finished they will not be much over 2½.

Q. You do think that it would be a good thing to establish an opening between the slats of one inch, or would you put it at more than that?—A. I think an inch would be all right.

Q. An inch clear after it is swelled by the water would be all right?—A. Yes.

Q. Do you think that a fair proportion of very small lobsters would escape through such an opening?—A. I think they would.

Q. You have been fishing a good many years and ought to know?—A. Yes, I think they would escape, a certain proportion of them.

By Mr. Sinclair, M.P.:

Q. Do you think the lobster would escape if there was a pretty good bait in the trap, would he care to go?—A. He would. You will very often see a lobster go to the bait, eat all he wants of it, and then turn around and go out, and may be he will turn around and stay in the pot.

Q. It is pretty hard to tell what a lobster will do?—A. Yes, you are right, it is pretty hard to tell what he will do.

Q. I was told by a fisherman that so long as there is bait there the small lobster is likely to stay?—A. I have found that they will go out.

By the Commissioner:

Q. Have you ever seen the big lobsters chase the small ones out of the trap?—A. I have never seen anything like that, but I have often watched them long ago when the lobsters were plentiful and I have seen the big lobsters come to the bait and chase the small ones away.

Q. They sometimes kill them do they not?—A. Yes, they will bite them.

Q. And tear them to pieces we are told?—A. Perhaps so.

By Mr. Sinclair, M.P.:

Q. There is a Massachusetts expert who says that the safest way would be to have a trap to keep the big ones out, and that then you would be sure to save the spawn lobsters, because they are all big, and to let the little fellows get in at least; what do you think of that?—A. That in case he killed off the young lobsters I don't know what we would do for market lobsters.

Q. I do not suppose you would approve of that?—A. I would not.

By the Commissioner:

Q. Is there any suggestion you would like to make yourself with regard to the lobster protection?—A. I think what we are doing in the hatcheries is all right.

Q. Have you ever thought of the matter of pounds?—A. No, I never have. The other day I was down around the shore near Mr. Whitman's old factory, and I suppose I picked up 50 or 60 little lobsters about 2 inches long, I suppose they must have come from the hatchery, and I took them home and put them in a bottle of water intending

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to see how they progressed, but I forgot to look at them again until next day and then the lobsters were dead. These must have come from the hatchery, there was quite a quantity of them and the children were fishing them up down around the shore, on the beach there.

By Mr. Sinclair, M.P.:

Q. How old are they when they begin to shed their shell?—A. These were very small, they were just able to hold out their tail straight and were active, they were just big enough to enable me to tell that they were real lobsters.

Q. You could not mark a lobster so that you would know it next year?—A. No, I do not think you could.

By the Commissioner:

Q. Do you think these very old lobsters shed their shell every year?—A. I should think they would.

Q. They say there is a time when they do not, that you will find those black fellows covered with barnacles?—A. There might be a time when they do not, they might shed their shell for a number of years and after that perhaps they do not.

By Mr. Sinclair, M.P.:

Q. Is there not some way of experimenting by tagging a lobster so that when he was caught again we would get exact information, which we have not now? Is there any way of tagging them so that we would know them again like they do the salmon in Scotland? They get a salmon there and put a tag on him in order to find out how far he travels, and they get him again sometimes hundreds of miles away, or they might catch him again next year in the same place and in that way they get information which is valuable. We do not know exactly how long it takes a lobster to grow up?—A. No.

Q. At least there is no exact information about it?—A. No.

Q. Is there any way you might put a tag on it?—A. No, I think they cast their shell every year.

By the Commissioner:

Q. Did you ever see them casting their shell?—A. No, the nearest I have come to it is that I have seen them when the shell was so soft you could hardly touch it without breaking.

Q. Have you never caught them in the trap with the shell beside them?—A. Yes, I caught one in the trap once without a shell.

Q. And the shell lying alongside?—A. No, there was no shell there.

Q. Some fishermen have told us they have caught them in the trap with the shell lying alongside of them?—A. I have not had that experience.

Q. The new shell hardens up very fast does it not?—A. I could not say as to that.

Q. When you fished 35 years ago with an all-the-year season practically, did you never notice the lobsters were hardening up after casting their shell? They say they get hard in a few days?—A. I could not say, you catch so few of that description that you can hardly tell how long it will take to harden the shell. I do not remember catching more than two or three that way; but when I was a small little fellow gaffing the lobsters off the rocks I used to haul them out from under the rocks with no shell at all, just the raw lobster.

Q. The shell was gone?—A. Yes.

By Mr. Keating:

Q. What is your idea about the disposition of these young fry? There is a great deal of controversy and difference of opinion among the fishermen with regard to it;

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the majority of fishermen think they should be put in the sea right close to the shore in the bays?—A. Do you mean the spawn?

By the Commissioner:

Q. The young lobsters when they distribute them from the hatchery?—A. I should think up around in the bay and in the shoals where they distribute them is the best place to put them.

By Mr. Keating:

Q. Inside or outside?—A. I think it would be better in along the shore, if they put the small lobsters outside where there are all kinds of big fish they would gobble them all up, and there are not so many inside.

By the Commissioner:

Q. We hear a good many complaints eastwards that you get their eggs over there and do not bring back the hatched out lobsters and distribute them where the spawn came from?—A. These lobsters grow up here and may go back where they come from.

By Mr. Sinclair, M.P.:

Q. The experts say that the spawn floats on the surface of the water for several days after they are hatched out until they develop and sink to the bottom and crawl. If that is true would it be the thing to put them inshore?—A. I think so, yes.

Q. What would happen, would they not be washed up on the beach?—A. If they were in shoal water near the shore they would go to the bottom.

Q. But they do not go to the bottom, assuming that is true. I have asked a good many experts who are dealing with this question and they say that is the reason these small fry they put out, they are very small, I suppose you have seen them?—A. Yes.

Q. About how big are they?—A. They are just about——

Q. About the size of a mosquito are they not?—A. Only a little larger you see; what we call sea fleas.

Q. So that at that stage they do not sink, they float, and perhaps it is several days before they are developed enough to sink and during that period they are on the surface of the water. Now if you put them close to the shore the wash will take them up on the beach and kill them. It will give them a chance if you go out and put them in the tide water; of course a great many will be lost by other fish catching them, but that will happen anyway. The theory is that when they are spawned under natural conditions they come to the surface and go through the same process. Some of the fishermen here have the idea that the lobster backs off into deep water; what is your idea, that these lobsters come into shoal water to spawn, to ripen up their eggs in the warm water and that they go out into deep water just before hatching?—A. I could not say, I think it would be a hard thing to say as to that without anybody seeing the lobsters do it.

By the Commissioner:

Q. There is a great deal that we do not know anything about. We find a great many fishermen who say that the lobster casts her eggs before they are hatched, that they are not hatched out when attached to her, and that you will see the empty shells on her after she has spawned.—A. Yes, you will often see a little bunch of empty eggs attached to her. I never remember seeing lobsters so small as I found along the shore the last summer or two.

Q. The lobsters you found the other day could not have been hatched out this year if they were an inch and a half long?—A. No, I do not think they were over one inch.

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Q. If they were less than an inch they might have been hatched out this year.—
A. If you go down to the beach at low water you will find them yourself.

By Mr. Sinclair, M.P.:

Q. Do you find them down near the hatchery?—A. Yes, near our house, you will see the little kids down there every day picking them up. Now about the lobsters being taken outside, I would think if they lay on the top of the water as you say they do they will be devoured by gulls, mackerel and other fish.

Q. So they are, there is no doubt about that.—A. Some of them, of course, may escape, but I would think that around the shore in shoal water they would not be so apt to be devoured.

By the Commissioner:

Q. There are other fish that eat them, perch and other fish of that description?—
A. Perch do not come up to the top of the water very much, and there may be some of them washed up on shore, but I think they would stand a better chance than away out at sea.

Q. How do they distribute the young lobsters?—A. I do not know.

Witness discharged.

WILLIAM SCHREIDER, fisherman, Canso, called and sworn:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. About 38 years.

Q. Of course you have always fished, you are not a packer?—A. Yes, sir.

Q. What number of traps do you fish?—A. About 250.

Q. That is a double handed boat?—A. Well two hands, yes.

Q. Have you always fished that number?—A. I have fished more, and years ago I fished less, but this last 15 or 20 years I haven't been under 250, from that to 275 and 290.

Q. In the old days of the fishery what number used you to fish?—A. We used pretty nearly always to fish single handed then about 120 traps.

Q. Of course when fishing as many traps as that you had them on trawls mostly?—A. Pretty nearly all hand pots, a good many do, but I do not use any trawls at all.

Q. When does the season open here?—A. The first of April.

Q. Are you able to go out generally about that time?—A. No, not generally before the 15th or 20th, sometimes we get out earlier.

Q. In what depth of water do you begin to fish?—A. Fifteen fathoms is the deepest water I fish in.

Q. I suppose you always select a rocky bottom?—A. Yes.

Q. Do you manage to secure your own ground as a rule?—A. No, the first man that comes there and knows the ground puts down his traps, that is the way we fish.

Q. What is the condition of the fishery compared with when you first began?—
A. There is a considerable difference.

Q. Is it falling off?—A. It is falling off, especially this last year, I have noticed a great failing.

Q. Has that decrease been regular and constant from the beginning?—A. I think so, they have been making a fairly good pack, but the traps have been increasing, which has kept the lobsters down for the last year very much. I think there has been a falling off from year to year, and the only way that we have been holding up a little better is by increasing the gear and by increasing the number of fishermen, which has given the packer a little more. I think now that we are overrun with gear, there is a little more gear in use than the ground will stand.

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Q. I suppose the number of fishermen and the quantity of gear has increased steadily since the beginning?—A. Yes, it has been increasing, it has not decreased the last three years.

Q. When you begin fishing at first what class of fish do you get?—A. Not very large at first.

Q. The smaller ones come ahead of the big ones?—A. Yes.

Q. And the big ones come as the season advances?—A. Yes. It gets better, but we find when we commence to get into shoal water we get better lobsters, apparently in the deep water the lobsters are not so big.

Q. How are they in the early part of the season? How is the middle of the season compared with the beginning and the end?—A. It is pretty dull in the first part of the season in catching, that is what you mean, is it?

Q. Yes?—A. About the middle of the season is the best time along about the middle of May is the best time, and from that out they commence to dwindle off gradually.

Q. How are they as you get closer inshore and nearer the end of the season?—A. As we get along in the season we have to get closer in the shore, they do not get any better after the 15th of May, once the lobsters strike the shore they commence to drop off. About the time they are making their course for the shoal water then we get the best catch, and then we are in from 8 to 10 fathoms of water. We follow them from that depth to 3 fathoms, and in some places they will come to one fathom, but our catch commences to dwindle down.

Q. There is a small run of lobsters then?—A. No, just as good if not a little better.

Q. Is the percentage of small lobsters greater now than when you began to fish?—A. I do not think it is, I think on the average we have more big lobsters, according to our catches, than we did years ago, that is more large lobsters going from ten to ten and a half inches.

Q. As to these berried lobsters that we hear so much about, what percentage of the total catch would be berried lobsters?—A. I don't know exactly whether I could give you that.

Q. It does not seem to be very large?—A. It is not very large, we do not get many in April, hardly any, and we do not get very many in the month of May, the month of June is the month in which we get the most berried lobsters.

Q. And do you get more towards the end of June than at the beginning of the month?—A. Yes, more at the end than at the beginning.

Q. Do you think it is safe to say that the berried lobster comes into the shoal water to spawn?—A. I do, I feel positive as to that.

Q. What would you say as to the spawning of the berried lobster, of course you find spawn attached to them at all seasons?—A. At all seasons, yes.

Q. But there is a certain season when the eggs are ripe?—A. Well, I think July is really the hatching month, because that is about the time they hatch, and in the month of August they commence to shell.

Q. And those that did hatch will have hatched before the shelling season?—A. I think so, before that. Of course there may be some lobsters that do not shell, there are a certain class only that shell each year, but the lobster comes to the shoal water apparently to spawn, and as to the fishing in the shoal water, when we first began the fishery we hauled them out with a gaff, around the rocks, and we cannot do that now, they are caught up before they get there.

Q. Now as to the practice of the fishermen in this neighbourhood, have the regulations with regard to the berried lobster and the taking of undersized lobsters ever been strictly enforced?—A. I do not know that they have.

Q. What has been the practice, of course in respect to the berried lobster we know that the spawn has been taken off at the hatchery?—A. Yes.

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Q. But previous to that what was the practice?—A. Of course a great many of them were washed.

Q. And were the canners always strict about refusing them?—A. I do not know too much about the canners, I never was very much about the factories, but I guess as far as they were able to do it they tried to do so.

Q. And that led to the practice of stripping the eggs off outside?—A. Yes.

Q. And how about the undersized, has the canner ever been strict about receiving them?—A. Of late years unless it has been the very very small ones I do not think they have been, but there was a time when they were.

Q. When the large lobsters were more plentiful?—A. Yes. If you take away the small lobsters we do not get very many lobsters under 8 inches which is looked on as a small lobster.

Q. You are favourably situated here, you have good grounds around here?—A. Yes, we have.

Q. The reefs and rocky bottoms that you have around here must be good places for the lobster fishery?—A. It has been an excellent place for the lobsters, but as far as the lobsters under 8 inches go there would not be very many.

Q. How would it affect the packer and the fishermen if the regulation were enforced?—A. I expect it would be binding.

Q. In some places it would, in the Straits of Northumberland?—A. There is a difference in the fishing in here, some fishermen will get pretty good lobsters and others will get pretty small lobsters if they fish inside, the larger lobsters appear to keep out in the rough water, and a good many cannot fish out there, and they catch the small lobsters so that it would be very binding on them.

Q. What is the average catch of the fisherman, in weight or number?—A. It is pretty hard to tell the average, it will be pretty small if you put them on the average, but the really substantial lobster fisherman would run nowadays, last year it was very small, but I suppose I took in last year somewhere about 10,000 pounds.

Q. What was the best year you ever had?—A. I have gone away up to 25,000 pounds.

Q. How does the price you receive for lobsters now compare with what you received in times gone past?—A. Up till last year we were away up in price compared with what we got when I first commenced lobster fishing; I sold lobsters at 50 cents a hundred count which would average 25 cents per hundred pounds, the lobsters averaged 2 pounds each. The price kept going up year by year until the year before last we got \$4.50 and that was I think up to the full value and probably a little more. Last year they went down to \$2.25.

Q. I suppose that high price was the result of competition between the canners?—A. I reckon that was the idea.

Q. You began that season at what rate?—A. \$4., and it ran up to \$4.50.

Q. And this year you began at \$2.50?—A. And we went up until we got to \$3.50 a hundred at the last.

Q. That seems to be a sore matter with the fishermen especially in Cape Breton, we have heard about that. Do you think there has been any combination on the part of the canners to keep the price down?—A. I do not know, I kind of think there was this last year. Sure, I am pretty positive of it.

Q. Was it not the case that they overdid it in the previous year and burnt their fingers?—A. That may be the case too.

Q. And they came down with too much of a drop this year?—A. That may be, and that is where they made a mistake, they should give just what they were able to give and no more, and then the fishermen would understand it better, but if they go away up and then drop away down it makes the fishermen discontented. If the packers would close down when they went to a certain point and say, 'No, I can't pay more,' it would be better.

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Q. In some cases, I am told, they have done that, in several instances in my own division, I have charge of the Gulf of St. Lawrence Division, and there they shut down and said, 'We cannot afford to pay this price, we will stop.'—A. That is the proper thing, and the best thing to do.

Q. Then the fishermen complain on the other hand that they have always been dealing with that factory and that they are deprived of their ordinary market when the canner shuts down, so that they have to go and look for another market.—A. Of course a man can make that plea if he likes, but I would not like to make it myself. If a man told me he was giving me all he could and could not go any higher without loss I would not expect him to pay it. I would try to get the best I could out of the fish.

Q. I suppose a large proportion of the fish you catch are sent alive to the market?—A. Yes.

Q. And these fish are sold by count?—A. By count, at so much apiece.

Q. From what size up?—A. From 10½ inches up. The year before last it was from 10 inches up, but they dropped it this year and put it at 10½, and put the price very low from what it was before.

Q. From which branch of the fishery, the live lobster industry, or the canning, would the fishermen derive the most revenue?—A. I almost think they would get it from the packing lobster.

Q. That is the greater quantity?—A. Yes, the greater quantity.

Q. Do any fisherman export their live lobsters?—A. None, I think there were two crates shipped last year.

Q. Do the facilities exist here for exporting alive to advantage?—A. I do not altogether think they do.

Q. There is too much delay on the road?—A. Too much delay in getting them to the market.

Q. Where the facilities do exist for exporting alive do you think that branch of the industry should be encouraged rather than the canning, is it not less destructive to the lobster?—A. Of course it is.

Q. And is it the most profitable to the fisherman?—A. I think it would be.

Q. So that in certain places where it would be possible to carry on that live lobster export trade to advantage that branch of the fishery, you think should be favoured?—A. Yes.

Q. Even if the other had to suffer?—A. Oh, yes, that is right.

Q. But there are other places, again, where it could not be carried on and there the canning must be taken as the first consideration?—A. Yes.

Q. As to the protection of the fishery which is evidently failing, what is your suggestion as to the best method, the best regulation to have enforced for the future protection of the fishery?—A. Well, now, I have been kind of thinking the thing over in case I was going to be called here to answer questions. I think the fishing has dropped off.

Q. I might explain what brings us here: a permanent committee of the House of Commons has been formed to take up the question of the fisheries, and to advise the Fishery Department, and they had evidence before them last year from various parts of the coast. They were not, however, satisfied that they had sufficient evidence to enable them to come to a definite conclusion as to the regulations that should be passed and enforced, so they advised the Minister to send somebody all through the Maritime provinces, and the province of Quebec, where the lobster fishery is carried on, to take the evidence of fishermen on the spot, and I was appointed for that purpose.—A. I am a little kind of sorry that I have come here alone to speak for the community in which I live, I hope I will not say anything which is to their disadvantage.

Q. This evidence will be printed and submitted to the committee, and I think you are competent to give us an opinion.—A. There are many things that might be done.

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Q. The Department have received various suggestions, some say, shut down altogether, stop fishing for four or five years.—A. I do not think that myself.

Q. Do you think the condition of the fishery is such that it has reached bottom and that there is need for such a drastic remedy?—A. I do not think it has.

Q. The Lobster Commission of 1898 reported in favour of closing down by sections, closing down a section of the coast for a certain period, and moving that closed section around until all the coast had been covered. Many of the fishermen have suggested that this remedy would only be a little less severe than the first one, and that it would be very difficult to shut off the fishing in one section whilst it was allowed in the next. They say you would have trouble with the fishermen going from the section which was closed down into the adjoining section where they could fish?—A. Certainly you would.

Q. Others have said, 'Give us a 7 inch limit instead of an 8, and we will observe the law.' We had, if you remember, a 9 inch limit which was not enforced, and then they said, 'Give us an 8 inch limit and we will observe it.' Now we find that the 8 inch limit has not been observed because in some places they are canning down to four inches?—A. I know that is the case.

Q. That regulation would need a tremendous force of men to carry it out. It is very difficult for the ordinary overseer who resides in the locality to strictly enforce such a law against his neighbours?—A. That is a fact.

Q. Others again say, 'Do away with the size limit and if possible insist upon such a distance being left between the slats in the trap as would allow the small lobsters to escape, and at the same time, somewhat shorten the season, because it is at the tag end of the season that the greatest damage is done in catching the berried and undersized lobsters.'—A. That would be my view. I think it is not very much use to put a restriction on the lobster, because it is pretty hard to save him always, he has been taken and is going to be taken, and I think the only way we can do it is by shortening the season. I am a lobster fisherman myself, and I want to get all out of the lobster I can, but I would not like to overdo the thing so that it would run out and ruin the industry altogether. I would like to get all the fish I could, but I would like to do something if I could to secure the permanency of the fishery, and I believe that shortening the season would be one way of protecting the seed lobster. I have to tell you that I do not think very much of the hatchery in our town. I do not know about the hatcheries in other places, but here in Canso I do not think it is very much good; if there were some other way of looking after the seed lobster I would prefer it.

Q. The best way I think is to put her back in the water where she comes from?—A. That is the only right way I believe, especially on our coast where we have so little shelter and the lobsters have to come into shoal water to spawn, I am pretty sure about that, and if the eggs are put into the hatchery here they have to carry the young lobsters out somewhere or other where the water is too deep for them.

Q. Have you ever considered the question of pounds?—A. That is a question I do not know anything about.

Q. The favourable conditions necessary for the establishment of a pound are, considerable depth of water over a considerable area, free ingress and egress of the tide, a good deal of current, and a place where it is possible to easily fence off the entrance so that the lobsters cannot get out.—A. Yes.

Q. Where a pound can be provided that, next to putting the seed lobsters back in the water where they are taken, is one of the best ways of securing or providing for them.—A. That is what I have always said. that the natural way is the best, and the only way in which we can save the seed lobster is by putting it back in the water as soon as it is caught and let it spawn itself. The only difficulty that I have been thinking about is that in the pounds the young lobsters would be devoured by other fish such as eels, &c., and you would have to be careful in locating your pound to select a spot where there are no eels, because they will destroy everything. Take the Bras d'Or

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Lake, you would get many lobsters there if it wasn't for the eels, but as it is, you can only get an odd lobster, and you cannot get any small lobsters there. If you could get a site for a pound where there are no eels, I believe it is all right.

Q. It has been proposed that all lobster fishermen should be licensed, there need be no fee attached to the license, but that each fisherman should take out a license by which he guarantees to observe the regulations, and if a lobster fisherman were known to violate the law repeatedly his license would be cancelled and he would not be allowed to fish lobsters. Do you think that is workable?—A. I do not know, I am sure.

Q. That has been suggested by some people.—A. I do not know, I am sure, how that would be.

Q. The idea was that the man who had taken out that license would feel himself obliged to live up to the conditions?—A. Oh, yes, that is sure.

Q. And he would be also very likely to take care that information was laid against others who did not obey the regulations?—A. Yes.

Q. Those who suggested it seem to think it would work in that way. Do you think there is any more general disposition on the part of the fishermen now to take care of the berried lobster than there was some years ago?—A. I think there is but I do not think yet that there is as much disposition as there ought to be. I think that the majority of the fishermen are thinking of the matter, much more so than they used to.

Q. Do you think it is possible to provide such an opening between the slats in the trap as will allow a certain proportion of small lobsters to escape? Will they escape if given the opportunity?—A. Well, in some places they may.

Q. In some places they have the slats not more than a half inch apart?—A. Oh, my.

Q. And they can only be placed that way with the intention of holding the small lobsters?—A. We do not see anything like that here, I think ours are about $1\frac{1}{8}$ or $1\frac{1}{4}$ inches apart, I am not exactly sure.

Q. I notice that here the space is larger?—A. Yes, ours will about hold an 8 inch lobster.

Q. That is a matter we were talking about here this morning. It has often astonished me to see how small an opening a lobster will get through.—A. Yes, they will, and they will force their claws through an opening where you could not get it out; I have seen them shove their claw through the slat, and you could not pull it out.

Q. Do you think that if a space of $1\frac{1}{8}$ or $1\frac{1}{4}$ -inch were insisted on it would be the means of allowing a certain proportion of small lobsters to escape?—A. I think it would.

Q. Some fishermen tell us it would not make any difference, that when you disturb the traps instead of trying to get out they will hang on.—A. If they get into the pot shortly before you haul it they will perhaps stay there, but if they have been in for a little while they will go out if there is room for them to get out, when you disturb the pot.

Q. There has been a great deal of complaint on the part of the fishermen along the coast about the issuing of canning licenses. In the early days licenses were issued to almost everyone who applied for them, and then there were many more canneries than there are now, but the present tendency of the department has been to restrict the licenses with a view to protecting the fishery. There has been, however, no restriction upon the quantity of gear fished. Do you think the number of canning licenses should be restricted?—A. I do not know, sometimes we get kind of botched up a little bit, that is all. We had quite a hard job this year to get a packer to take our lobsters. We found here this year before we got that license that we had one packer, and last year in the month of June he could not handle our lobsters, and in the month of May he couldn't handle over one-half of them, but as it happened we got a packer to take them.

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Q. Some one came to your rescue?—A. Yes, by applying to the government we got a license.

Q. That is what they call a co-operative license?—A. It is one that was given to 30 fishermen, I do not know what they call it.

Q. Do you think that method of issuing what we call co-operative licenses, where the fishermen are dissatisfied, and where a number of them group themselves together, will fill the bill? That it will give the fishermen a reasonable chance to dispose of their fish?—A. I think it would. My idea would be to allow every man to pack who wished, that is if he is a packer, and understands handling the fish. If he does not it is a different thing.

Q. Supposing we decide to do that, do you think then it would be reasonable and right to insist that the cannery should be up to a certain standard of fitness, we have seen a great many canneries that are not putting up a good product, there is no doubt about that, they are dirty, and badly kept, and you would not eat anything that you saw packed in them. That should not be allowed?—A. Oh, no.

Q. Do you think there should be some inspection or some standard required?—A. There would want to be a standard fixed, that if the man were not really a packer, or if he did not pack his goods properly, he should not have a license. But a real packer that understood and knew how to pack lobsters should be able to get a license.

Q. Is it your opinion that increase in the number of canneries would not mean any more fishing?—A. No, not any more, there are as many fishing here now as could possibly fish.

Q. But it would mean more competition?—A. Yes, I think it would be of benefit to the fishermen. On this line I would like to say if we could get a license by thirty fishermen clubbing together, I do not believe we would have as good fish put up as if the packing were done by a real packer; but the 30 fishermen might start out and hire a packer, and he might be a good man, he might be a real good packer.

Q. Do you think the local inspector is in a position to decide that?—A. I do not know.

Q. Who would you leave that to?—A. That is too far for me, I hardly know whether a lobster is packed properly myself.

Q. We have not had any difficulty on that account in my own division. The practice in the gulf division has been that whenever an application is made to the department for a license to can the matter is referred to me to decide whether there are canneries enough in the division or whether the individual is prepared to do the work properly. I find that difficulties occur in Cape Breton more than anywhere else in connection with packing, because of the factories shutting down. It was the Portland Packing Company that shut down here. Was it not?—A. Yes.

Q. And they did not reopen?—A. They did not open any more that year, no.

Q. That was this last year?—A. Yes, last year, 1908. This year they ran the whole season.

Q. When the price got up to a certain figure they shut down?—A. Yes.

Q. Did they begin the season?—A. Yes, they began.

Q. And then closed down?—A. Closed down sure. They began the season and ran to the first of June. The lobsters went up very high then, and they said they could not buy them, that they were losing money, and they would have to close down. Of course when they closed down the other packers came down, so I reckon they were too high in the price.

Q. Do you think there is any good reason for having a smaller size limit in one district than in another?—A. Well, I would think so, because there are places in which the average lobster is so much smaller than in other places. Of course in the place I fish in we get good lobsters and would not mind the size limit so much as in other districts where they get smaller lobsters, and if they were going to be cut off in the other districts at the same size we were they would not get a quarter catch.

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Q. Then your solution would be to provide strictly for the berried lobster in some way or other?—A. Yes.

Q. And do away with the size limit?—A. Do away with the size limit.

Q. And shorten the season?—A. Shorten the season.

Q. By ten days or two weeks?—A. I think that might be left to yourself, I am not particular in the matter of season, only in the time of the season.

Q. I suppose it is the case that at the close of the season other fisheries are available for the fishermen, there are other things they can go to?—A. That is if they can have the right part of the season; of course there is really only one part to cut off and I suppose you will not find one-fourth of the fishermen satisfied with that.

Q. Nearly all of the fishermen want it to be cut off in the beginning, the first two weeks of April?—A. Because you do not catch anything then.

Q. But if you are going to cut it off at that end of the season you are not going to protect the lobster any. If you are going to protect the lobster, surely you must take it off at the end, when the spawn lobsters come in?—A. I would say that if we are going to take off any we should take it off the end of June, 15 days, or 20 days, if they think best.

Q. I think it is along these lines that we have to find the salvation of the lobster industry?—A. I think so.

Q. And, although the fishermen might suffer a little for a while, after a few years some results might be derived from it?—A. If the fishermen look at it in the way I would I think that by cutting off 15 or 20 days at the end of the season in the course of two or three years we will have it all back and a little more in the improved fishery. If we cut off 15 or 20 days in June we can go to work at some other kind of fishing, and get pretty nearly as much out of it as we would out of lobsters, and I believe that in a few years we will get as much money in April and May out of the lobsters as we do in April, May and June. But to cut it off altogether as I have heard it rumoured, it would not do at all.

Q. Even bad as it is, I do not think it has gone far enough to require that, and I hope it will not be necessary?—A. I think the same as you do.

Witness discharged.

Commission adjourned.

GOLDBORO, September 1, 1909 (8 p.m.)

WILLIAM H. GIFFIN, fisherman, Goldboro', called and sworn:—

By the Commissioner:

Q. How long have you been connected with the lobster fishery?—A. It is along about 24 years.

Q. Was there much lobster fishing being done in this place when you began?—A. Yes.

Q. The fishery had existed as a fishery before that?—A. Oh my, yes, when we built our little factory up here there were four factories in this neighbourhood.

Q. When were the factories first established here?—A. You will have to get somebody who can go further back than I can to tell you that. I was in the United States then. I should say it must be 35 or 40 years.

Q. Was the canning first undertaken at that time by the Americans or by local people?—A. By the Americans, Mr. Anderson.

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Q. Did he come from the State of Maine?—A. No, from the State of Massachusetts.

Q. In those early days how was the fishery prosecuted?—A. Pretty much as it is now.

Q. Did you fish with the same style of trap and in the same way?—A. No.

Q. How did you fish, with hoop nets?—A. We called them hand traps. We fished with great two-handed pots, as big as two of ours now. I never took but 27 lobsters out of one pot at that time, but there are men who took 50, and we think it is a big thing to get 5 or 6 now. We never used the hand trap until after the lobsters quit potting, and then we used the hand traps.

Q. That is after they came right in shore?—A. Yes, we would set them in shore and watch them crawl on.

Q. Perhaps it would simplify matters if you would put in your own words what the fishery was at the beginning and how it is now. What has been the course of the fishery, has the failure been gradual?—A. That is what it has been.

Q. In the beginning how many traps did you fish?—A. About 80 to 100 traps.

Q. Were they set on single lines, or on trawls?—A. On trawls, all of them.

Q. Do they fish them now?—A. No, all single lines.

Q. And they use the modern parlour traps?—A. Oh yes.

Q. What is the particular merit of that trap over the old-fashioned one?—A. We think that if the lobster crawls in we get him, all that go into the parlour trap we get, that is what they tell us, but I do not believe that, I think some of them find their way back, but we get more than we did with the old-fashioned trap.

Q. Do you allow as large a space between the slats now as you did in the beginning?—A. No, when I first began fishing it was $1\frac{1}{2}$ inch, then it came down to $1\frac{1}{4}$, and we have them about 1 inch now.

Q. In some places they have only half an inch?—A. I guess there is one man in this harbour who has them only $\frac{5}{8}$ of an inch; but I fish out in the deep water.

Q. In what depth of water do you commence fishing?—A. 12 or 15 fathoms.

Q. On a rocky bottom?—A. We get them on a soft bottom early in the season, and then we follow them in, as they come in we follow them.

Q. Are you bothered with ice here?—A. All springs in the 25 years I have been here; one year we were all cleared out in June, the ice came in, swept the harbours and cleaned up everything, that was 15 or 16 years ago. Then again I have seen the ice off here and it frightened us badly but never came in.

Q. Is it the practice to continue fishing on the same ground, or do you follow the lobsters in?—A. We follow them in.

Q. About what time of year do you move?—A. Well, we will set out first in April, and by the 20th day of May we will be in 5 fathoms, 4 or 5 fathoms of water.

Q. That is the closest you come?—A. When we think the lobsters have done crawling sometimes we move back again, because in my opinion they never stop crawling, we will go back to deep water and get as good fishing, but we come in as close as we dare, and that is when we lose our gear when we get into 4 fathoms and 3 fathoms of water. I did not fish any in June, I guess my traps were all dried before the 28th of May, that is when we lose the largest amount of gear.

Q. In what period do you find the berried lobster?—A. We get the berried lobster on the first day and on the last day of fishing, but they are riper and heavier at the end, and the lobster commences to get sick.

Q. Have you ever formed any opinion as to the percentage of lobsters that bear eggs?—A. I do not think I have put overboard more than 11 or 12 lobsters in my day's catch out of my 300 weight, but seven was the most I put overboard this year, but I did not get over 250 pounds besides our "markets."

Q. Was this a poor season with you?—A. No, this year was nothing like the worst, it wasn't too bad, but they did not seem to come on. I am peculiar from anyone else, when I first start on the big fellows I always go out to the edge, among them, and I

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always fish there as long as they are passing that point coming out of the deep water, as long as I can fish say 8 or 9 or 10 nights, I say that is a pretty good school of lobsters passing, but this year they seemed to pass in 4 or 5 nights, they did not seem to come on this year.

Q. Has not that sort of thing occurred before in your experience? Have you not had off years in your fishing?—A. Yes, the year before that was an extra year which put you away back to the old times, back to the times where these men had 1,500 or 1,600 market lobsters.

Q. What do you call 'market' lobsters?—A. The large ones, up to 4, 5, and 6 pounds.

Q. Is the percentage of small lobsters greater now than it used to be?—A. I have seen a man haul 2,100 pounds in one day, right between here and the harbour on a ridge where we do not hardly bother setting a trap. They were getting 35 cents a hundred pounds, when I commenced to fish I got 60 cents per hundred pounds, but I have got \$4.50, and this year we only got \$2.50 which made it a bad year in every way.

Q. To what was that reduction in price due?—A. They claim that the price per case was down to \$12, and at the same time the year before it was \$16.25. I know that is the case myself.

Q. Did that decrease fully justify the drop?—A. Not quite.

Q. They overdid it?—A. They have doubled their money on every case of small lobsters we sold to them for \$2.50, and they are selling them now at pretty near as much as they were the year before and we claimed that they knew it. We closed down and did not fish late this season.

Q. Are most of those who are engaged in fishing lobsters in this neighbourhood deep sea fishermen who go into other fisheries?—A. Yes, they are mostly. With the exception of myself there are a few, 3 or 4, with that exception, they are all deep sea fishermen.

Q. The factory does not furnish boats and gear here, the fishermen all own their own?—A. The fishermen own everything.

Q. How are the lobsters paid for here, by weight or count?—A. By weight for canning, and for the markets by count.

Q. There is a different price paid for them?—A. Yes, 12, 10 and 11 cents this year, but they have been as high as 12 cents apiece.

Q. Has the number of fishermen increased greatly since the beginning of the fishery as well as the quantity of traps fished?—A. When I first started to fish I could count all the fishermen on my fingers, there were then two boats fished out of this harbour.

Q. And how many boats are fished out of this harbour now?—A. There are only about 7 boats fishing here now.

Q. You have how many canneries in operation here?—A. Only one.

Q. The Burnham & Morrill factory?—A. The Burnham & Morrill factory.

Q. How many boats fish for the factory?—A. They have some all along the shore, they have six boats fishing here, and they smack the lobsters from the other boats all along the shore.

Q. What is the extent of the pack in this cannery generally? What did they pack this year, last year and the year before?—A. Four hundred and some odd cases besides the big ones they shipped.

Q. What proportion of the total catch goes to market as market lobsters?—A. It is difficult to say, it is according to where the men fish. The Drumhead men, I expect would be fully one-third, the deep sea men would have about one-third of the total catch, that is the Drumhead men would get that but it would not be as much here.

Q. Is the tendency of that live lobster export trade to increase?—A. Not this year, you see the American coast is fishing the big lobsters now, there was a five years' close season, and that is the time that the trade was better, but this last year the Americans are fishing the lobsters themselves, and there is such a large percentage

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which dies in transit. This last year was an off year entirely. I will say right here that one-third of the live lobsters shipped last year died in transit. I was going to say that the government should legislate to stop it, there was an enormous destruction last year, but this year it was entirely different, I have seen lobsters shipped from here that 95 per cent reached Boston alive.

Q. Was that because you had a cooler season?—A. It was a cooler trip. I have seen 7 or 8 crates shipped from here and we had to take them off the boat before we got to Halifax in order to save any.

By Mr. Sinclair, M.P.:

Q. At whose loss would that be?—A. The shipper loses them; if the fisherman has sold them on the wharf it is nothing to him.

By the Commissioner:

Q. Which of the two branches of the fishery is the most profitable to the fisherman, the proportion that he sells to the canner or the proportion he sells for the live lobster export trade. A. I think the large ones give him the best money. Last year I shipped two crates of live lobsters and I got \$4.25 back, and I could have had \$20 odd if I had sold them here.

Q. What should you have had if they had reached the market safely?—A. I would have got \$30 odd if they had reached the market alive, but they died.

Q. How many do you put in a crate generally?—A. 100 lobsters. We only have to pay so much freight on a crate, if I get a crate of 140 pounds to Boston I have to pay the rate, and if I can get 200 pounds of lobsters to Boston in a crate at the same rate I have that much saved towards paying expenses.

Q. What does it cost to ship a crate to Boston?—A. \$3.10, that is all, and that includes brokerage and everything.

Q. You ship from here to Halifax?—A. Yes.

Q. And from Halifax to Boston how do they go?—A. By steamer, we pay the man on the dock so much for every crate and they are transferred to the steamer for Boston.

Q. You never ship by rail to Boston?—A. No, one firm ships by that method.

Q. You know what the regulations are with regard to the taking of small and berried lobsters, have they been observed here?—A. I heave every berried lobster that comes into my boat overboard, and I claim that if every man had done that for the last 15 years we would not have very much shortage today, but the trouble is that I may heave the berried lobster overboard, but that same lobster may go into the next man's pot and he cleans her and sells her.

Q. Does the canner accept them?—A. They do not take them, no, but I think they are cleaned and brought to the canner. I can tell the berried lobster, if it has been cleaned, on sight, but when they are coming in quickly you cannot detect them. They can clean all the berries off with three slaps on the water; that was the trouble here, there was one man here, I think he is dead now, that I think destroyed more berried lobsters than all the other men here; he went inshore after the lobsters had gone inshore to lay their eggs and caught them.

Q. Do you think there is any disposition on the part of the fishermen now to be more careful of the berried lobsters?—A. Yes, every man that is a man and knows anything, and that believes he is destroying his own business by taking them, heaves them over, but the man that does not believe anything of the kind, take the man that is so ignorant, he does not believe that by taking the berried lobster he will prevent them multiplying, he will strip them. I have seen it done this summer with my own eyes, men have brought them to the factory in the boat and tried to pass them off, and they did not care what injury they were doing to the fishery.

Q. Is there a large proportion of the fishermen that practices that?—A. No, I do not think there are many. The man that does that is not entitled to considera-

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tion because he sees it and knows that it is to his benefit to put the berried lobsters overboard.

By Mr. Sinclair, M.P.:

Q. There is an understanding among the fishermen at Drumhead to put the berried lobsters overboard?—A. Yes, and we have an understanding here.

By the Commissioner:

Q. Is there a Fishermen's Union here?—A. No.

Q. What would be the effect upon the fishermen, and upon the canner also, of course, if the regulation with regard to small lobsters were strictly enforced?—A. There would be no fishing at all.

Q. Why is that, is the proportion of small lobsters so great?—A. Yes, there are men in this bay, inshore here, who are fishing now. There are men who catch very few large ones, certainly not much more than they do at one place where when I saw the shells I asked a man whether he was running a shrimp factory or a lobster factory.

Q. I may tell you that the evidence we had at the place you refer to was that there are no undersized lobsters canned there.—A. All you have to do is just to look at the soft bottom there and you will know that the large lobsters are not to be had there.

Q. At Pleasant Bay, Magdalen Islands, there is a sandy bottom and the run of lobsters is very small, you get them right close in shore.—A. Do you think when we say there are no lobsters here in June that there are none here?

Q. Oh, yes, I think there are lobsters here.—A. Do you not think there are just as many on the bottom? We know they do not trap, but there are just as many lobsters there, and if we had the bottom cleaned where would we get them next year? I can go back 23 years and we could not get any lobsters, but the bottom was simply lined with them. I have put over a hand trap baited with gibbs and I have seen 15 lobsters come and look at that bait, but they would not crawl for the bait, except an odd one.

Q. Do you think it is due to the fact that they are approaching the breeding season?—A. I kind of think so. It is when the lobsters come in in the spring that they are hungry and trap.

Q. But although they are large in size then they do not weigh as much as they do later in the season?—A. It is in May when they are at their best, 400 pounds of shell would give you 100 pounds of meat in the can, that is the time you get the best lobsters.

Q. What is the best means of meeting the difficulty? It is evidently time something was done in the way of restriction, and various suggestions have been made to the department by different people; nearly every man has a theory of his own. Some fishermen tell us, that we should shut down altogether for a term of years in order to give the fishery a chance to recuperate.—A. That is what we said this spring, shut down for five years.

Q. What do you think of that as a remedy? It is no doubt a thorough going one?—A. I think it is not necessary to shut down yet.

Q. The fishery has not reached such a stage as to make that necessary?—A. No, I expect to see it improve, and if we had a hatchery it would be better. We have the experience of Port Hood to guide us, it was down there so that the canner was putting up 400 or 500 cases, but now he is back to the original number and can hardly handle all that is coming to him, and what made the difference? It was the hatchery. Then there is the Canso hatchery where the benefit has already manifested itself in the fishery.

Q. Among the recommendations of the Lobster Commission of 1898 was one that the lobster fishery should be closed down by sections, that certain portions of the

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coast should be shut off for a year or two, and that the closed area should be shifted around until all parts of the coast had been covered?—A. Well, you see, they came here and they asked us how much season we wanted and we told them that we wanted three months, April, May and June, and that is what they granted. Up west of us, those fellows west of Halifax, have the advantage of us, they commence to fish in January, and they fish as long as we do.

Q. They claim of course that there is a certain portion of that season when the weather is very rough, and that there are months of their time that they do not fish their traps?—A. If those men stopped fishing on the first day of May look at the chance we would have at the market.

Q. That is the complaint made along in Cape Breton, that you are cutting them out of the market?—A. They have about the same as we have.

Q. They think up there that you should be a little shorter than they are because you begin earlier?—A. I would not care if they took June off us.

Q. Among the other propositions there is one that the size limit should be fixed at 7 inches instead of 8. The fishermen in many places say, "Give us an 8 inch limit and we will live up to that strictly, we will not catch any smaller than that."—A. They are not much good if they are smaller than that, my traps would not hold hardly that size.

Q. Another proposition is that we should do away with the size limit altogether, they say that it is very difficult to enforce it, and that we should always strictly protect in some way the berried lobster, either by putting her back in the water, placing her in pounds, or stripping her eggs and taking them to the hatchery. I suppose there are various localities where a pound might be established, and other localities where hatcheries would be the more suitable; anyway the proposition is to do away with the size limit and strictly protect the berried lobster?—A. That is a perfect proposition.

Q. And at the same time shorten the season?—A. That is a perfect proposition, shorten the season to April and May.

Q. How much would you shorten the season?—A. My idea is to shorten it and just have it for April and May here, and protect the berried lobster.

Q. We have had a great many fishermen and canners say to us, "Give us two months' fishing." ?—A. It would pay the canner.

Q. The canners complain that they have to keep open in order to please the fishermen when they would rather close. —A. The destruction of the berried lobster is in June, and that destruction is caused by the man who follows the lobster inshore in June.

Q. That is where the harm is done, when the lobsters come close in shore?—A. When the lobster is ready to lay, when she is a sick fish. If we had the size limit taken away and the season shortened I believe every man around these waters would be satisfied. The deep sea fisherman goes after the mackerel on the 25th of May, and he is done with the lobsters then.

Q. Another proposition that has been advanced by some people is that we should require the lobster fisherman to take out a license, the idea being that the fisherman would in that way regard himself more or less as a fishery officer and would be more inclined to obey the law himself and to see that others did so, and if a man were known to violate the regulations, either in the matter of the size limit, or the destruction of the berried lobster, he would lose his license and not be allowed to fish lobsters, do you think that would work?—A. I do not think that would be any good, there is a lot of red tape about it.

Q. With respect to the licensing of canneries, do you think there are canneries enough, or that the number of licenses should be increased? The policy of the Department for a number of years back has been to limit the number of licenses with the idea evidently that in that way they were going to protect the fishery, but the amount of gear was not limited.—A. It would not protect the fishery, the number of licenses would not make any difference in the number of fish taken.

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Q. You think that an increase in the number of licenses would not do that?—
A. No, but it would increase the competition.

Q. To give the fishermen in case of complaint—the department has had many complaints on the part of fishermen that they were bound to accept the price offered by packers, that they could not get out of it, they must either take it or leave it alone—a means of relief, the department decided to issue what they call co-operative licenses to any group of fishermen numbering 15 or more who apply for it in the name of one of themselves so that they can pack their own fish. Do you think that offers a fair way out of the difficulty for fishermen generally?—A. Yes, I think that is all right, we met in the spring and applied for a license ourselves. We had one for 18 years but we did not have it this year. I am sorry that we did not the way the prices were going, but it was too late, we could not start this year, it was only just at the start that they said to us, 'Here is the price, \$2.50 or nothing.'

Q. But they raised it during the course of the season, did they not?—A. Not one cent.

Q. In some places they seem to have raised the price?—A. For all the lobsters I got in April and May I came out of the factory with \$108 less than for the amount of fish in the same months last year. All that I got was the wages of my hired man and the cost of the gasoline, I did not get anything for myself out of it. We got \$5.00 for the fish last year and this year only \$2.50.

Q. You said that you favoured the establishment of more hatcheries?—A. Yes, I believe there should be more established right along the coast to Shelbourne, that is where the good fish are caught, these lobsters are away ahead of anything caught on sandy bottom, and they are the fish we want to preserve.

Q. Do you know anything about pounds?—A. No, unless it is this Baker pound in Cape Breton where they take the mother lobster and keep her until the close of the season and then let her out again, but they say there is a large percentage die in the pound.

Q. There is a certain percentage of deaths, and one season, I believe, when they had a long hot spell more died than usual, but when the season is cool I do not think the percentage is very large according to the information we have. The trouble is that they have to bring them so far that they suffer in transit before they reach the pound?—A. That is right.

Q. Are there any facilities in this neighbourhood where pounds could be established? You want a good depth of water, a free current through the place and an opportunity to bar off the mouth.—A. Drumhead Island is the only place I have in mind, that is a pretty place with big rocks and an opportunity to bar it off without interfering with navigation.

Q. What depth of water would you have there?—A. At high tide 6 or 7 feet, and at low tide not over 3.

Q. That is rather shoal?—A. Yes, but that is pure salt water there.

Q. I think you told us that an increase in the number of canneries would not mean an increase in the catch of fish?—A. I cannot see that it would, it would not increase the number of pots.

Q. Where it is possible to carry on the live lobster export trade should the regulations favour the development of that trade as against the canning?—A. Well, you know that the lobsters suitable for that trade are not profitable for canning.

Q. No, not the very large ones. I suppose the most profitable are medium size?—A. The 9, 9½ and 10-inch lobsters, and in fact down to 7 inches, because the shell does not amount to anything, there is more meat proportionately.

Q. That is what they say, that the small lobsters are fuller, and that those small half pound flats do not require large lobsters, and those are the tins that bring the highest price?—A. Exactly. You see if you take some of those large lobsters weighing 5, 6 or 7 pounds, when you shell them there is not much meat in them, and they are not profitable to can, the lobsters look big, but they do not give much meat.

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Q. It is a question that requires consideration whether in places where all the facilities exist for carrying on the live lobster export trade the regulations should not be so framed as to encourage that trade and shut off the canning.—A. Then there would not be any fishing.

Q. They say there would be?—A. That they would fish for just the live lobster trade?

Q. Yes?—A. They could not do it here, I could not fish all day for 10 lobsters.

Q. It only amounts here to about one-third of your catch?—A. Hold on, I just happen to have my lobster book in my pocket. In 1908, on June 1st—I will go back to last year, 1908, we weighed lobsters from the 15th of April, I weighed that morning from outside, 131 pounds of lobsters and 10 large ones; I had some in the car that I had been saving up for weighing, and all I had in the car was 222 pounds and 14 big ones, the next day I had 8 big ones in 167 pounds. The reason these were small is that I was hooking them from the fellow here, selling him the small ones and selling to Stropel because he was giving me a bigger price. I had 120 large lobsters in April that year and 1,420 small, that was in 1908, and that was a good year. In May I had 309 large ones.

Q. And what weight of small ones?—A. 2,500 pounds.

Q. And in June?—A. I did not fish much in June, only until the 18th and I got 886 pounds of small and 74 large ones. Now in 1909, this was a shameful year——

By Mr. Sinclair, M.P.:

Q. You could not continue business if you were cut off everything but the large ones?—A. I would never set a trap, and we fish outside, I am not in the bay, and we get as many large ones as all the boats in the bay. In 1909, in April I got 127 large lobsters and 1,742 pounds of small ones.

By the Commissioner:

Q. That is under 10½ inches?—A. Yes. I have the two months together here, and in April and May I got 280 large and 3,336 pounds of small.

Q. You did not fish at all in June?—A. Every pot was dry on the 28th of May, and the last lobster I landed was on the 26th.

Q. Is that about the general run of those who fish outside?—A. Yes, that would be about it. You see a fellow has to get something for lobsters when that is all he gets, I had 130 traps, the very best that could be made.

Q. What are they worth with their gear?—A. They are worth \$1 apiece, I would not like to make you one for that with the rope.

Q. There is more work in them than in the old fashioned trap?—A. I would rather make three old ones. Now with regard to these market lobsters, if the lobster is only a quarter of an inch under size he does not go, and I suppose when I had 40 markets in my boat I had an equal number between 10 and 10½ inches and if you took out those between 10 and 10½ you would have very small lobsters left.

Q. How is it that they stick at the 10½-inch limit when the Boston market takes them down to 9?—A. Because they call them 'baby lobsters' between 9 and 10½ and the price is not there; they rush them away west. I do not know where the lobsters come from, at Yarmouth they fish all winter, and still the boats will be loaded in April and May.

Q. Well, you see they have a favourable shore. They have the outlying reefs and rocks around Cape Sable, and wherever you find those conditions you will find a pretty good lobster.—A. That is just so.

Q. What do you think about fall fishing? It has been suggested in some places that fall fishing might be permitted?—A. I would say, no, for my part I would say, no.

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Q. There is no use burning the candle at both ends.—A. Destruction again. I would never think of it, and I don't think there is a fisherman around here who wants it.

Q. It is said that in a few years the live lobster trade will altogether replace the canning, what is your opinion about that?—A. I do not know, it might, but I do not see how it would.

Q. I really do not know of very much more than I have to ask you. Do you think of anything more, Mr. Sinclair, that we could get from this witness?

Mr. SINCLAIR, M.P.—I think you have gone into it pretty thoroughly. There is one thing you did not ask this witness, as to the possibility of letting the small lobster escape by leaving a larger opening between the slats.

By the Commissioner:

Q. Do you think that we could regulate the destruction of the small lobsters by insisting upon a certain space between the slats in the trap? We find in some places that the space is narrowed down to half an inch?—A. I told you of one man in these waters that was responsible for a great deal of destruction, and he had his slats down to a half inch, or $\frac{5}{8}$ ths. With him it would take over 300 lobsters to make 100 pounds, that man has just destroyed the fishing in the bay since he has been fishing there.

By Mr. Sinclair, M.P.:

Q. Do you think that such a regulation would be of service?—A. It would be one of the best things in the world.

Q. Would the small lobster go out?—A. If you were acquainted with the lobster as well as I am you would think he would go out.

Q. As long as there is bait in the trap will he go out?—A. I have seen them all going out as fast as they could when you are hauling.

Q. What size lobster will go out of a certain space?—A. A $1\frac{1}{4}$ -inch space will allow an 8-inch lobster to go out. I claim a 7-inch lobster is too big a lobster to let go, why would you want me to let him go or to leave a space wide enough to let him go out when the government will allow them to can 500 cases at one cannery where they never see a 9-inch lobster?

Q. That is why I want you to answer the question. Assuming that the law was enforced all over Canada with regard to the construction of the traps with spaces the width of the slat?—A. All right.

Q. You think it would be a protection to the small lobster?—A. Yes, of course, he will not stay in, the lobster will go out so quick.

By the Commissioner:

Q. It is a fact that they have narrowed the space between the slats down, what is the reason?—A. Yes, of course they are narrowed down. In the olden days they used to put a lath between the slats as a gauge, and the mesh in the head of the trap was from 5 to 7 inches, and now it is only 3 inches and the laths are from $\frac{3}{4}$ to 1 inch apart.

Q. The long and short of it, as I understand it, is that you would do away with the size limit, and protect the berried lobster strictly and in the very best possible way?—A. Yes, that is about it.

Q. And have a regulation space between the laths; should that space be all over the traps or only half way up the sides?—A. I do not see any difference which way it is.

Q. And you would shorten the season?—A. Yes, that is right. I believe that if we protect our lobsters they will increase with our nine months' close season, we have

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nobody fishing illegally here. There is never a man looks at a lobster outside the season, because there is something else for him to do.

Q. And you will not deprive him of his means of living by shortening the season because he has other fisheries to go to?—A. That is it.

Witness discharged.

PHILIP McARTHUR, fisherman, Goldboro, called and sworn:—

By the Commissioner:

Q. You have heard the evidence of Mr. Giffin, and fully approve of it? Have you anything to add to it?—A. No, I would only go over the same ground, and I quite approve of it. I used to have a theory that the female lobster crawled under the rock and stayed there until the eggs were hatched and then the lobster crawled away. One day when we fished in July I found one female lobster that had hatched out every one of the young lobsters, they had all left with the exception of about three, where the young lobsters, about one inch long, were still attached to her. This confirmed my view that the eggs were hatched by the female lobster herself.

Witness discharged.

Commission adjourned.

ISAACS HARBOUR, September 2, 1909 (9 a.m.).

IRA L. GIFFIN, fisherman, Isaac's Harbour, called:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. Since I went to the lighthouse 15 or 16 years ago, just a few pots around the lighthouse.

Q. What is your impression as to the lobster fishery, is the condition going from bad to worse, are they getting scarcer?—A. They are getting scarcer, there is no question about it.

Q. Both in size and quantity?—A. Yes, that is in shore, of course I am not acquainted with the conditions of the fishery outside.

Q. In connection with that matter of the trap, you are of the opinion that by leaving a suitable opening between the slats the small lobster would escape.—A. The small lobster would escape, there is no question about it.

Q. Have the slats been put closer together during recent years?—A. Yes, they have. I am going to give my own experience, I made them wide apart and other men made theirs close and there were six small ones in theirs to one in mine. I would haul up my pot and would find the smaller ones dropping through between the slats, but when I went to the factory I found the other men sending in the small lobsters.

Q. How are the lobsters sold?—A. By weight.

Q. Have you any idea how many it takes to make 100 pounds?—A. I can tell you how they have run down; 15 years ago 110 and 115 would give 100 pounds, and now it will take 150 to 175 to the 100 pounds, so that you see they are falling off.

Q. And the traps have been built to capture that kind of lobster?—A. Yes, there is no doubt about it.

Q. Among the many suggestions which have been sent to the department at various times one is that the best way to remedy the existing state of affairs is to

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shut down altogether for four or five years, but many fishermen have expressed the opinion that that would be a pretty severe remedy?—A. Yes, there is no doubt about it.

Q. In a great many places there are people who would be completely stranded if the lobster fishery were stopped as that is the main source of their cash earnings?—Yes, that is so.

Q. The Lobster Commission of 1898 recommended the closing down by sections, and moving the closed sections around the coast until every part had been given a close season.—A. That would be a very awkward and difficult thing to do I would imagine.

Q. Another proposition that has been made is to do away with the size limit which in practice it has been found almost impossible to enforce?—A. No, it has never been enforced and cannot be.

Q. But to so regulate the trap that a fair proportion of the small lobsters will escape?—A. Yes.

Q. And to protect always very strictly the berried lobster?—A. That is right.

Q. To make it a serious crime for taking the berried lobster, and also to shorten the season by ten days or a fortnight?—A. Yes, you might do that.

Q. All the evidence tends to show that it is at the tag end of the season most of the berried and small lobsters are destroyed?—A. Yes, no doubt about it.

Q. It is said that in the course of a very few years that would so improve matters that although the fisherman might complain at first, in a very few years if these regulations are going to be any good he will reap a great deal of benefit from it.—A. That would be the best way. It looks to me very strange that the government while going to all the trouble of building hatcheries for the purpose of hatching out the eggs should at the same time allow the mother lobsters and the little ones to be taken, it seems unreasonable to me, when if the trap is built so that they could not hold them the little lobsters would be running about on the bottom instead of being taken to the cannery.

Q. We meet a great many fishermen who say that it makes no difference, that the small lobster will not go out, that they will stick to the trap, but that is not your experience?—A. No, it is not my experience, of course I am not acknowledged as much of a lobster fisherman, but I tell you what I have seen with my own eyes.

Q. Another proposition that has been made to the department is that all the lobster fishermen should be licensed, the idea being that in the spring when the fishery officer comes around to pay the bounty they should apply to him and should receive a form of license which would bind them to do certain things, such as returning the berried lobster to the water, not to catch the undersized lobster, and to obey the regulations whatever they may be. The fisherman would sign the declaration and would get a license on which the regulations would be printed, the license being numbered. The theory of those who make the proposition is that any fisherman having done that will feel bound to live up to the terms of the agreement, and that he will be likely to obey the regulations himself and to see that others do the same, and in case he violates the law he would not be allowed to fish lobsters again?—A. I do not know how that would work. It seems to me that the man who will catch the berried lobster and try and dispose of her will do almost anything, and I do not think a license of any kind would prevent him doing so because if he does not have enough interest in the business to prevent him destroying the berried lobster, which I think it is a sin to do, the license will not stop him.

Q. What do you think is the spawning season of the lobster?—A. That is a pretty hard thing to tell. You put your pots out on the 1st of April and take them in on the 1st of July, and you may catch them at any time between those dates with spawn on them.

Q. But there are certain seasons of the year when they spawn and hatch?—A. Yes, we suppose they come into the rocks about the 1st of July to spawn; I have seen them spawning in July and August.

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Q. You think they come inshore to spawn?—A. Yes, that is my opinion of it.

Q. And have you any idea how many berried lobsters you find per hundred?—

A. Where I am in here there are very few. Of course last year I didn't do anything at all, but perhaps another year I would not have more than 50 or 60.

Q. Out of what quantity of fish?—A. About a couple of tons of fish, out of that there might be perhaps 100 I would put overboard. But you have to be careful how you treat those lobsters when you get them in the pot, if you handle them right and put them back again at once the lobster would not be hurt at all. And then they should also let the little ones go, sometimes they are like toy lobsters, only 4 inches long, and what is the use of destroying lobsters like that, they do not amount to anything.

Q. And yet we find a good many canners who tell us that they like the small lobsters because they are more profitable, the shell weighs so little.—A. Since they have been shipping the 9 to 10½ inches lobsters away to the United States if it were not for the small lobsters the factories could not run at all, and in that way they do not want to have any law to stop the catching of small lobsters, but I think we ought to have a standard for them. A great many fishermen tell you that it does not make any difference, take all the small lobsters you like, but I know that around the light house since they have been catching the small lobsters there is nothing there. The two points I would suggest is to make the laths on the pot far enough apart so that the small lobsters can drop out or crawl through—

Q. You think they will do that?—A. I think they will, of course there will be a small percentage of them that will not, but the majority of them will go out through the opening, that is my opinion; if the laths are far enough apart you will not have these small lobsters, or as many of them, in the trap. It is hardly to be expected that the man who sees his neighbour, fishing in the same water, pulling up his trap with one good sized lobster and ten or fifteen small ones, which are held there because the slats are close together, whereas, as in my trap he may have them wide apart and can see the small ones drop out as he pulls the trap up, and if he has only one good sized one in his pot you can readily see how he feels about it. The other man gets his profit out of the small lobsters which I have let escape between the slats in my trap. If the fisherman has no small lobsters in his trap he will not be tempted to keep them.

Witness discharged.

WILLIAM BAKER, fisherman, Isaac's Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. It is now about 18 years.

Q. You own your own boat and gear?—A. Yes.

Q. And you have always fished in this place?—A. No, I moved here 6 years ago.

Q. Before that where did you fish?—A. In Lunenburg County, Tancook Island, is my home.

Q. Well, how is the fishing here as compared with Lunenburg?—A. Well, for the last five years, since I have been fishing here it is double as good as it was in Lunenburg.

Q. How do the fish run here?—A. There are more large ones here, twice as many as in Lunenburg, they were small up our way. I do not know why it is the case, whether it is the bottom or what it is, but I think it is not because of the bottom because I will tell you when first I started in fishing you would not hardly see a 9 inch lobster, they would be all great big fellows; when I gave up fishing there they would be nearly all so small that you would have to pitch away.

Q. Now, since you have been here, you say you have fished here six years?—A. Yes, six years.

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Q. How do you find the fishing here, is it the same now as it was when you began?—A. It was not this spring, but the spring before it was better than it was any spring I have been down here; this year it seems to be altogether a failure.

Q. How many traps do you fish?—A. I fished 120 traps this last year, my boy was with me, before that I was alone.

Q. In what depth of water do you fish?—A. We fish inshore in 8 to 10 fathoms of water.

Q. Do you fish in the same water all through the season?—A. I do.

Q. You do not follow the lobsters inshore?—A. Yes, my idea is they are off in April, they are in in May, and in June they go back into deep water. I only fish inshore in May, and then I move my traps off, and I do double as well outside. I have spoken to lots of fishermen here and they all tell me the same.

Q. Of course the law says that no lobsters under 8 inches shall be taken, but that is not carried out anywhere?—A. I know that.

Q. What proportion of the lobsters here would be under 8 inches?—A. I could pretty nearly tell you, there would be about one-third of them.

Q. Is that proportion the same throughout the season or are there more at one time than another?—A. No, it is pretty much the same all along, except the last few weeks, maybe two weeks they would average more, some mornings they would be right good and some mornings right small.

Q. But the last two weeks there will be more small ones?—A. Oh, yes.

Q. How about the berried lobsters, how many of them will there be in every hundred?—A. I do not get so many of them, to tell you the truth I put all mine away because I think it is right to do so, but I have seen men take them right alongside of me.

Q. Do they brush them off?—A. Yes. The way I did last spring I brought them in, I made a car and put them in it, and when the season for fishing was over I let them go so that I was sure no one else would get them.

Q. How did they live?—A. It was an open pot and I left it right on the bottom and they lived all right only they bit one another.

Q. Did you notice whether any of them hatched out their eggs?—A. Not one of them. I kept them the whole season through until we hauled out our pots, and they were just the same then as they were when I put them in.

Q. The eggs did not look riper?—A. They never changed a bit, whatever was the reason I do not know whether it was the confinement.

Q. How did they feed?—A. Of course they fed off what was in the water I do not know how else.

Q. Now, as you know, the fishery has been failing all along the coast, and a great many recommendations have been made to the department by different people, some who are engaged in the lobster fishery and some who are not, as to what should be done to improve the condition of affairs. In some places things are very far gone, they are getting no good sized lobsters at all?—A. That is quite true.

Q. Like the Straits of Northumberland, Prince Edward Island and other places. One recommendation is that we should cut off the lobster fishing altogether for four or five years. What would you say as to that?—A. I will tell you my plan, have one month in the spring, April or May, it would not make much difference to me which, and one month in the fall. I believe that the lobsters crawl into shore and spawn and after that they would be more plentiful, and if you take them in April you would not get a great many spawn then and by the time you commenced to fish in the fall they would have come into the shore and would have pretty nearly all spawned. I believe the lobsters will increase if they are all allowed to spawn.

Q. You would not fish during the spawning month, they spawn generally in July, do they not?—A. Oh, no, that was my plan all the time, not to catch them during the spawning month; I suggested that here two years ago.

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Q. What is the general opinion of the fishermen? How do they feel about it generally, what is their idea?—A. I do not know.

Q. Is there a fisherman's union here?—A. No they have no fisherman's union here at all.

Q. Have you ever had any conversations with fishermen about the matter?—A. No, other than with a few scattered fishermen who live right here.

Q. Another proposition that a good many persons favour is to do away with the size limit altogether, they say it never has been and never can be enforced, and to protect the berried lobster religiously, to provide that the traps shall have a certain opening of standard width between the slats so that the small lobster beneath a certain size would escape, and to shorten the season by a couple of weeks, what do you say as to that?—A. My opinion is that we may as well give up fishing.

Q. Why?—A. Say you make the space between the slats two inches, or even one and three-quarter inches, a 9-inch lobster can go out of the one and three-quarter inches easily.

Q. What width do you put generally in your traps, do you make them two inches between the slats?—A. I haven't got mine 2 inches, because a 9-inch lobster would go through it; in my trap the space is an inch and a half or an inch and a quarter, they are pretty close to tell you the truth.

Q. That is a pretty good width, one and a quarter inches, we have seen them a half inch in some places?—A. I dress my lath gauge down and put just the same distance between each one.

Q. And what mesh have you in the head?—A. I have a two-inch mesh.

Q. You use the parlour traps, do you?—A. Yes, I guess I had the first parlour traps that were used here. For two nights' fishing you get your lobsters better in those traps, but for one-night fishing the other pots are just as good, in my opinion. But I guess if we could not get one month in the spring and one month in the fall we had better be closed altogether for three or four years, I should think so.

Q. Do you think that the lobster comes inshore to spawn?—A. My opinion is that she stays right where she is; if she is a deep water lobster she will stop in deep water, and if she is an inshore lobster she will come inshore to spawn, because I have caught the big lobsters in ten fathoms of water at the last of June.

Q. How do the spawning lobsters run, large or small?—A. The general run of them is large.

Q. What was the smallest lobster you ever saw with eggs on?—A. The smallest one was about 9 inches, and there are not many as small as that. I think they have to be a certain age before they spawn.

Q. Do you know anything about the matter of hatcheries or pounds, and such things as that?—A. I do not.

Q. Do you think those things are any good, or would you advise the establishment of something of that kind?—A. I believe that would be a good thing, and I think it would save all the seed because there are lots of men, I have seen them right around here, that will knock the seed off the lobsters and sell them, and sometimes they will sell them to the factory with the spawn on, and the factoryman may be as sharp as he likes, but he cannot always see the spawn; if he had some way of protecting those eggs the fishermen would not destroy them. Every man has morality enough about him to keep and protect that spawn if there was a hatchery in which it would be hatched?

Q. And especially if he got something for it?—A. Oh, yes, you may be sure he would then.

Q. Does the factory expect you to bring in everything you catch?—A. No, but I do not think they quarrel against it. I did not bring in all I caught this morning. I pitch away 50 or 60 sometimes; it is out of all reason to take them in there, I do not believe in it, I never did, I was brought up to that, to pitch the small ones away

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and we always did until the last few seasons, but there are quite a few take them all.

Q. What is the difference between the season at Lunenburg and here, they do not fish the same season down there that you do here?—A. That is what killed them, they fished all the winter, and the lobsters do not have any time to rest at all, they fish from the middle of December and fish right up to the last of May.

Q. Can they fish all the winter?—A. They can fish all the winter, of course if you put your pots out and it starts a very heavy blow you may not be able to go out to them, but take the fine days and you can fish all right, I fished one winter there.

Q. They say that during February and March they have very little fishing, that those are rough months and therefore they really cannot do anything?—A. It is certain they lose a lot of their pots there.

Q. Do they leave their gear out during those months?—A. Oh yes, they leave their gear out but I believe it is ruinous to the lobster to fish in winter, but still a fellow can't tell much about it.

Q. Are there many canneries in Lunenburg?—A. Quite a few.

Q. Who runs them?—A. One is run by A. Millett and one by his brother. He has got the Portland Packing Co. cannery.

Q. He is their manager, is he?—A. No, he bought them out, they are not in business there now, he bought them out quite a little while ago.

Q. Have these people here, Burnham and Morrill any canneries at Lunenburg?—A. They have some in Lunenburg County, but I do not know where.

Q. Where is the principal lobster fishing done there?—A. At Chester I guess.

Q. What price is paid you for the lobsters by the canners here?—A. This spring?

Q. Yes.—A. \$2.50, and 8 cents for the big ones.

Q. And does the same price run all through the season?—A. Yes, it did for me, I do not know about the other men.

Q. And the year before what did you get?—A. We started in at \$3.50 and it went up to \$5.10.

Q. That was a big rise?—A. And it started at 10 cents for the big ones and ended up at 15 I think it was.

Q. What led them to go up as high as that, was there any competition, anybody else buying lobsters?—A. I do not know, not more than there was this year, there was hardly as much opposition as there was this year.

Q. Are the fishermen generally satisfied with the price they are receiving for lobsters?—A. No, no, I would not put a pot in the water next year at the price we got this year, because it did not pay me to take my boy and go and get a few lobsters as we did this spring; I had better do something else.

Q. What is the average weight of your catch, how many tons do you take?—A. I generally get about 3 tons and a few over sometimes, never any less.

Q. You sell of course by weight?—A. Yes, not by count at all but by weight; in Lunenburg county they sell by count, I was smacking there and bought them for years.

Q. Why is it they take them in some places by count and in others by weight?—A. I could not tell you, I have no idea.

Q. You say there are small lobsters in Lunenburg and yet they take them by count?—A. Yes, because I was telling Mr. Giffin the man at the factory here that I would like to be selling mine by count instead of by weight.

Q. Is it the case that the small lobster will try to get out of the trap when you are pulling it up?—A. Oh, they will try to get out.

Q. Some fishermen say that when you move the trap the lobster grabs hold and hangs on?—A. No, he will not do that, because I have seen them go right out clean through the mesh of the net; if there is a hole in the head he will go right square through it, and if the laths are some distance apart he will crawl out between them, and you sometimes catch him half way through, he will not try to stay in.

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Q. Do you think there are canning licenses enough, or should other canneries be licensed? The Department for a number of years back have been trying to keep down the number of licenses with a view of protecting the fishery, but they have not limited the amount of gear; do you think it would have that effect?—A. Not a bit, my opinion of it is that there are plenty of licenses if they will pay the price for the lobsters.

Q. Do you think there is any agreement between the canners?—A. Sure, up in Lunenburg they combined and one man dare not pay more than another, and that is the thing that should be stopped. They have combined not to pay above \$3.50 per hundred by count, but the smack man may put 5 cents more out of his own pocket to get the lobsters, still the boss does not pay it; that is a thing that should not be allowed.

Q. Do you think that any man that applies for a license to can should get it?—A. Well, he has just as good a right to it as the other man.

Q. Do you think that the fisherman, one with the other, would make more money if he is allowed to can his lobsters than he will by selling them?—A. I do not believe he would because I believe if that were allowed there would be a lot of bad lobsters put up and the price would go down.

Q. That is what they tell us brought down the price, some bad lobsters had been put up.—A. That is just the case, as it is with everything else; it is the same with lobsters as it is with mackerel or herring, if a lot of poor quality is put on the market down goes the price on all of it.

Q. Do you know anything about pounds for putting the seed lobster in, that is the way they do in some places in the State of Maine and they have one in Cape Breton, they bring the female lobster with berries on and put her in the pound where she is kept and looked after, and at the close of the season they let her go?—A. I will tell you a little story about that. I put one into a big car we had when I lived down at the Island. I did handle one which was a big one, and I said I am going to see how long it will be before she spawns, and I kept her there until away in July, and when I went to look at her the car was full of little fellows just about half an inch long, and they stayed in the car, the bottom pieces were about 1½ inches apart, those little fellows stayed there a long while, and they were about an inch long before they went away.

Q. How long did you hold them?—A. I could not tell you exactly, but we put her in the car about the last week in May, and this was some time in the middle of July.

Q. Did you feed her at all?—A. Yes, I pitched in a sculpin now and again.

Q. Did you see her eating it?—A. Yes, the next morning we would go to see, and she had a big piece eaten out of it, and there was nothing else could get in to eat it, it was floating right at the top of the water, and there was about six fathoms of water there.

Q. She hatched out her eggs?—A. Oh, yes, she hatched them out.

Q. At what time?—A. About the middle of July, I could not tell you whether it was in the day time or what time exactly.

Q. How long did the small lobsters stay near her?—A. They stayed with her, I do not know, it was late in the fall when we took the car ashore, and it was some time in October when we landed the gear and they were gone, but she was there then.

Q. She was there yet?—A. Yes, and as good as ever, she had plenty of food, we gave her all she wanted to eat.

Q. Which branch of the fishery do you think is the one there is the most money in for the fishermen, the shipping of live lobsters to the market or the canning?—A. The canning.

Q. You think there is most money in the canning?—A. In the canning, yes, that is on the average, taking the value of the lobsters, what he gets for them you know. Then if you have fishing in the fall you will catch a lot of lobsters that will have spawned, but if you had caught them in the spring they wouldn't have a chance to spawn.

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Q. Your theory is that by fishing early in the spring and late in the fall you would not capture lobsters at the spawning time and they would escape?—A. That is the idea I have.

Q. Have you anything more you would like to say, if you have we will put it down and it will be laid before the Committee?—A. I haven't anything to say only that I want a month in the fall, and I want a month in the spring, I would be very well satisfied with that.

Q. What about the months?—A. May and October would be good months.

Q. Would not October be a very rough month here?—A. No, it will be all right for lobsters, you don't want it smooth every night.

Q. Do they trap better on rough nights?—A. I tell you, if it comes up a little rough, after the rough weather is over you will get a bigger run of lobsters.

Q. What bait do you use here?—A. Herring, I salt my own bait mostly.

Q. Have you ever noticed whether the lobsters trap better with good fresh bait or old bait?—A. Yes, I will catch nearly double as many lobsters as any other man if he has not the same bait that I have, and certainly I do better than those who use the same kind of bait, but they do not attend to their gear. If you make your herring as salt as you would to eat it he is no good at all, you may as well not put him out, but when you are making your bait you want to take your herring and let it lie out of salt for a day so that you are sure you cannot cure him, then you can give him as much salt as you like and he is good bait.

Q. Would you prefer salt herring to mackerel gib or codhead?—A. Yes, the mackerel gib is all right for one night, but just as soon as that one night is over if you go back to your other bait, if you haven't enough gibs to keep on with all through, your other bait is no good for a good while, so that the best way is to keep on with the one bait, and not go from one bait to the other.

Q. Do you use your mackerel gibs here in a bag?—A. Yes, I put all my bait in bags, I knit bags that are hardly one inch in the mesh very often.

Q. Are they not able to cut the mesh?—A. Oh, they will cut it sometimes, the large lobster will cut the mesh, and a large lobster will bite a hole in the net of the trap and go out sometimes.

Q. What is the largest lobster you know has been taken about here lately?—A. The largest one that I got weighed 5 pounds, but I have caught them weighing 13 pounds in the hand trap, they could not get into a pot you know at that size.

Q. Is hand trapping done here at all?—A. Not a bit here.

Q. Is here any fishing done here after the season?—A. Yes, there are certain people here that catch them all the time.

Q. Are they canned?—A. Oh no, they just catch them and boil them I suppose, and sell them, I do not know what else they do with them, but I do not suppose they eat them all. I have eaten them myself out of season, but I never would catch one to can, that is as sure as you live, I never would. At home in Lunenburg I do not think they are even as strict about the law as they are here. That is one thing that should be looked after there, that is the reason the lobsters are going down, there are men there who will set as high as 30 or 40 pots with no buoys on them, and they will catch lobsters and take them to Chester, and sell them to the boarding houses, and the overseer there does not seem to see them, but I think he ought to know it. They get a big price for them there. If we had one month fishing in the spring and one month in the fall here, and the fellows that set their pots and catch and boil and then sell them were looked after here, I think the lobsters would increase, but I do not think they will ever get as plentiful as they were years ago for the reason that the bottom is getting poorer, the kelp is being torn away, and there are not so many hiding places for them, so that they will not come into shore the same as they used to.

Q. Have you any other fishing here?—A. The cod, herring, and mackerel.

Witness discharged.

SESSIONAL PAPER No. 22a

HENRY BURKE, fisherman, Isaac's Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. I have been fishing lobsters since Mr. Andrews first built his factory, I cannot tell you the exact time, but I was one of the first fishermen that started here.

Q. Was that 30 years ago?—A. It was over that, somewhere about 1873.

Q. What canneries had you here then?—A. F. S. Anderson's.

Q. Are there any others here now?—A. The Burnham Company pack now down here in the cove.

Q. Did they succeed him?—A. Yes.

Q. We would like to know something about the manner of fishing here; how many traps do you fish?—A. It varies, some years 125, some years 140 and sometimes only 100.

Q. Do you fish them on single lines or trawls?—A. Single lines.

Q. And you use the parlour trap?—A. Of late years.

Q. Is yours a one handed or two handed boat?—A. Two handed.

Q. In what depth of water do you begin fishing?—A. About 11 fathoms, from 11 to 9 fathoms.

Q. Is that out around Green Island?—A. East and south of it, the west and northeast is shoaler.

Q. What time do you generally begin to fish, can you always get out by the 1st April?—A. I put out about the middle of April because the weather is very rough in the first part of April and it is very hard on the gear.

Q. You fish on a rocky bottom I suppose?—A. Yes, a rocky bottom.

Q. Do you fish on the same ground all through the season or do you move into shoal water?—A. Move into shoal water as the season advances.

Q. How shoal water do you come into?—A. From 5 to 2 fathoms.

Q. When you first begin to fish what run of fish do you get, how do the fish run through the season in size and in quantity?—A. They run large at first, and the quantity decreases according as the season advances.

Q. And the size too?—A. No, the size is pretty much I guess on the average.

Q. What proportion of your fish would be below the 8 inch limit?—A. Well, a very small proportion of my fish, it would be very small, there may be one or two out of a hundred pounds, perhaps a half of that.

Q. Then most of your fish are market fish?—A. Most of my fish, say in an average of 300 pounds catch I would average along about 50 market lobsters of 10½ inches.

Q. Do you know how the lobsters that you catch run, you sell by weight?—A. By weight.

Q. How many lobsters to the hundred pound do they run?—A. Altogether, large and small?

Q. Yes.—A. They will average one pound apiece.

Q. What proportion of the total catch are berried fish? Out of every hundred fish how many would have berries on them?—A. They vary in that respect again, some days I would take 15 or 20 and other days I would not get more than 4 or 5.

Q. And do you get more at any particular part of the season than another?—A. Later on I think, I get more spawn lobsters.

Q. Do you think they come into the shore to spawn?—A. It appears they do.

Q. And later in the season you would expect to get a larger proportion of them?—A. Yes.

Q. What space do you allow between the slats in your traps; you build your own?—A. Yes.

Q. How do you regulate the space between the slats?—A. I would not think I put them any further apart than one inch, and some of them probably seven-eighths of an inch.

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Q. Do you think that the distance between the slats makes any difference in the capture of the small lobsters?—A. Why sure, they could not possibly hold the small lobster if the space was large enough for them to get out.

Q. What space would a 5 inch lobster go through, what opening would be required to let a 5 or 6 inch lobster through?—A. He would go through an inch and a quarter all right.

Q. And do you think that we could lessen the catching of small lobsters by insisting on a certain space being left between the slats?—A. Yes, I am certain you could.

Q. What would you say would be a fair space so as to allow a moderately small lobster to escape?—A. I think an inch and a quarter space would allow all lobsters under 9 inches to get out.

Q. Then in some places they would not catch many lobsters with an inch and a quarter opening?—A. No, sure, but where I fish it is very different, I fish on the outside ground and the lobsters run larger there than inside.

Q. And you have a good bottom too?—A. Yes.

Q. Is it not the case that in smooth sandy bottom you generally get a smaller run of lobsters than on the rock?—A. That is right, you will.

Q. How will the fishery today compare with what it was when you began fishing?—A. There is a lot of difference in it.

Q. To what extent would you say it has gone down?—A. To what extent? Why, 75 per cent.

Q. You have now to fish a great deal more gear to get the same weight of fish?—A. I could not handle the gear now to get the same amount that I did when I first started out with 65 traps.

Q. Among the many remedies that have been proposed to the department in order to improve the condition of the fishery is one to shut down altogether for four or five years.—A. That would be a great disadvantage to the people on this coast.

Q. You think that would be pretty hard?—A. Yes, it would deprive them of one means of living that they depend entirely on.

Q. It is the only thing they can go at in the early spring?—A. Yes.

Q. What, would you say, are the average earnings of an average lobster fisherman from April to June with an average catch?—A. I could not tell you, of course this year was an exceptional one.

Q. Have you any idea what is the average weight of fish caught by a good fisherman, how many tons would he catch?—A. I know how much I caught myself.

Q. You catch more than your neighbours do you not?—A. I catch more than some, but all the outside fishermen who fish with me are about on an average.

Q. How many thousand pounds did you take last year?—A. I have my book here in my pocket. I took last year, 1908, in the month of May, 2,584 pounds, that is what we call small lobsters, and 900 market lobsters; in June I had 1,540 pounds of small and 460 large markets. I haven't my book here for 1909. Another man in the same boat with me had 490 pounds of small in May and 154 counts, and in the month of June he had 151 pounds of small and 19 large markets, I think that was our catch in 1908, and all the outside fishermen average about that.

Q. You did not give us anything for April, did you not do anything in that month?—A. Did I not give you anything for April, perhaps I had April and May month together, sometimes I just run them up together. Yes, that was for April and May together, I had 506 pounds of small and 167 market in April, but they are included in the catch I gave you for May.

Q. What period of the fishery is the best you have?—A. In the month of May.

Q. Now we will go back to the matter of the remedy, the first proposition you have is to shut down altogether which you say is a pretty severe measure. The last Lobster Commission that came around in 1898, I do not know whether they came here or not, they went all over the coast.—A. They may have come here; I do not know, but I think they were here.

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Q. They recommended closing down by sections, that we should shut off certain sections of the coast and move around in that way until all ports of the coast had been given a close season. How would that appeal to you?—A. I cannot tell, certainly the first part of April up to the middle of April is very little good to anybody.

Q. What remedy would you suggest? If the matter were left to you to say what the remedy should be for the better protection of the lobster fishery what would you do?—A. Well I think in some way we should protect the small lobster and the spawning lobster.

Q. Another proposition that has been approved by some of the fishermen and by the canners is to do away with the size limit altogether, they say that you cannot enforce it, and to provide for a certain fixed opening between the slats of the trap that would allow a certain proportion of the small lobsters to escape, and at the same to protect the berried lobster religiously and somewhat shorten the season by knocking off a few days at the end. Do you think that would be all right?—A. It would be, yes.

Q. Is it the case that during the last days of the fishery the most serious injury is done by the capture of the berried lobster and the small ones?—A. I believe you are right, but of course we can talk about the law and about leaving the slats open, but the people can wash their spawn lobsters off and sell them just the same as if they had no spawn on them and you could inspect the traps and the laths would be spaced all right, but they could carry a few laths out to sea with them and put them closer together when they got out to the fishing ground.

Q. But the officers might have a gasoline boat, and they might go out to see and examine the traps on the fishing ground, of course the officers would have to do more than they have been doing, apparently there hasn't been any formidable attempt to enforce the law during recent years?—A. There is no doubt about that.

Q. What is the practice of the fishermen here with regard to the berried lobster?—A. I can speak for myself, I liberate all my own, but as to other people we can only have our own opinion; I believe that the majority of people wash the spawn off the berried lobsters, a good many of them do anyway, although there are some men who regard the law and do not do so.

Q. Which branch of the fishery should in your opinion, be encouraged in the framing of the regulations, the export of lobsters alive or the canning?—A. I believe the live lobster export trade.

Q. You think it should be encouraged in framing the regulations, you think it is the most profitable trade?—A. I think it is.

Q. You think it is increasing?—A. Well, certainly, if the fishermen do not take the small lobsters they will grow large.

Q. And then they will be shipped alive to market?—A. Wherever there is a chance to send them.

Q. Selling alive to the market is the most profitable branch of the fishery?—A. Boston is our market.

Q. Your idea is to take a few days off the end of the season, and widen the space between the slats, it is along that line the regulations will, you think, have to be made?—A. I know that after the middle of June it slacks off, there are other things to do, and at the first part of the season there is not much doing.

Q. The best canners and fishermen have told us that in 'two months' fishing they will be able to do all they want?—A. I think they will.

Witness discharged.

JOHN LINTOP, fisherman, Isaac's Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been lobster fishing?—A. Off and on for 10 years, not steady of course.

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Q. What is the condition of the lobster fishery to-day compared with what it was when you began? Are the lobsters as large or are they as abundant?—A. Neither one I should say.

Q. What number of traps do you fish?—A. I generally fish about 80, that is the average.

Q. You are single-handed?—A. Yes, this year I was in with another man, but only had about 80 traps myself.

Q. Do you fish in deep water?—A. Not above 9 fathoms in the spring.

Q. You do not go very far out?—A. No, out towards the island, in the harbour.

Q. At what time is the fishing at its best?—A. Some time from about the latter part of April, I should say, until along about the middle or the last of May, along about that.

Q. Do you fish in the first part of April?—A. Not always. But this year I hove up on the 15th of May, the fishing got poor and I got sick of it, just about one-half of what it was last year.

Q. What remedies would you propose for the existing condition of affairs? The lobsters fishery is being overdone, and it is necessary to do something in order to protect it? The regulations, I believe, have never been enforced strictly either as to berried lobsters or to the size limit?—A. I do not think so. Last year I brought about 8 spawn lobsters in this harbour to try and save them, I was told there are men in the harbour washing the seed off the lobsters, and I said there is only one cure, to bring them up to my home and keep them in a pot in order to try and save them.

Q. Some people say, 'Shut down for four or five years altogether.' How would that work?—A. I do not know, I cannot tell how that would work in a year like this, this year was so poor, and they tell me that possibly next year it will be a lot poorer. It changed here some 7 or 8 years ago, I knew a man at Goose Island who hired a man, it is a good shoal there, for the fishing, and he told me that after he had paid everything he only had \$25 over the man's wages. Some say they are not going to buy anything smaller than 8 inches.

Q. That is the law now, how would it affect the canner and fisherman if that were enforced? Do you catch a large proportion of lobsters under 8 inches?—A. Yes, I think that this year they were either dreadfully small or else they went about 8 inches, I noticed that you did not get any lobsters this year, or very few under 8 inches, they ran from that to 10½ or 11.

Q. Do you think that by enlarging the space between the slats in the traps, and insisting upon it, that a fair proportion of the small lobsters would be allowed to escape?—A. I would think so; they tell me they do go anyway, so that if the space were enlarged they would be more apt to go I would think, but it would be bad for the fellow who had to go to work and make all new traps.

Q. Of course they would have to give notice that all traps made after a certain date must be made up to a certain standard. What is the life of a trap?—A. According to the way they are smashed up outside they would only last three years I would judge.

Q. The most reasonable suggestion that we have heard, in my opinion, is to do away with the size limit altogether which has not been enforced, and which it is very difficult to enforce, and to provide that a certain space should be left between the slats, sufficient to allow a reasonably small lobster to escape, say 1½ inch, that is for the future, and to cut off a few days at the end of the season. The general impression seems to be that the great damage is done to the fishery in the last few days of the season by taking the small lobster and the breeding fish at that period; is that your experience? Would you say there are more spawning lobsters at that season?—A. Yes, and especially in the shoaler water.

Q. They come in there to spawn, do they not?—A. I cannot say that definitely, but I think they do.

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Q. If they do, and if they are only getting in there towards the tag end of the season do you not think that is the time they should be protected?—A. They come in there in shoal water in May, say they are there, although I do not believe that we have any school of lobsters here at all these days. I believe they are only in here to breed, because I can be off in 9 fathoms of water and come in and set 4 or 5 traps and get as many lobsters there on a smooth night, just about as good, as I could outside.

Q. I suppose towards the end of the season there are other fisheries that a man could go to?—A. If he is going to the herring fishery he wants to knock off about the middle of May anyway so that generally the shortening of the season would not affect them at all.

Q. Are the bulk of the herring fishermen lobster fishermen?—A. Well, I have not been but I expect to be if I live another year, but most of them do herring fishing.

Q. And cod and mackerel?—A. Yes, they are deep sea fishermen most of them. I was just going to ask you, has anyone ever said anything about the fall fishing here?

Q. Yes, they have, what is your opinion about it?—A. My opinion is that I would say if we got a month and a half, September and until the middle of October, here, it would be far better, and I believe there would be no spawn lobsters taken.

Q. And what about the spring fishery?—A. Nothing in the spring, do not do anything until the fall comes on.

Q. A good many of them say, 'Give us the month of May alone in the spring, and a month in the fall,' sometimes they tell us that.—A. That will be September or October in the fall.

Q. Some consider October would be the best month.—A. A good many persons think a fine month is September.

Q. Your idea would be to fish 2 months in the fall and nothing in the spring?—A. I do not think it would hardly pay to fit up for a month in the spring, it looks that way to me, and I know I have heard other men say the same. I tell you how it is, the lobsters crawl right into the harbaur in the summer time, you do not use near as much rope when the lobsters are inshore and they are in nearer home, you can get up later in the morning in the fall than in the spring and that makes it easier for the fishermen. We would not have to go outside to get our lobsters.

Q. And you would not be catching them until after they have spawned?—A. Certainly, It is just as I told Mr. Sinclair, what is the difference in catching the lobster when she is full of spawn or berries and catching the same lobster before she is full of spawn, and when she has not had the opportunity to spawn? That is the way it is now, and I cannot see any difference if she is as big, and would have as many eggs as the other. Just as soon as I see a 10½ inch lobster I can tell by the soft fin on the tail whether they will have eggs, and I cannot see a particle of difference in killing one or the other. The lobsters spawn in the summer, and it is not right to take them until after they have spawned, therefore I say we should save them until after the spawning season.

Witness discharged.

Commission adjourned.

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DRUMHEAD, September 2, 1909 (3 p.m.).

EDWARD FANNING, fisherman, Drumhead, called and sworn:—

By the Commissioner:

Q. Are you a lobster fisherman?—A. I am the second man that fished lobsters since the business was first brought in to this country here by Mr. Andrews. At that time a man could get 25, 30, and up as high as 50 in a trap. Today it is a rare thing for me to get 7 or 8 in a trap; the lobsters have gone low because they are caught in all kinds of shapes and forms, hand trapping, spearing, and in every other shape. More than that, of course the law is that we should preserve the mother lobster, throw her away, and of course there are lots of people do throw them away, but a large portion of them do not, I think, that is not much protection to the lobsters because where one man will do it another man will not.

Q. Do you belong to Drumhead?—A. I do.

Q. Have you always lived on this part of the coast?—A. Always in this part of the country, yes.

Q. How long have you been engaged in lobster fishing, how far back does your connection go?—A. I do not know the exact date, but it is from the time Mr. Andrews put his first factory here, that would be about 34 years ago.

Q. That was the first factory established in this place?—A. Yes, the first factory in this place.

Q. How long did he continue canning here?—A. Well, he continued canning—there has been no other factory canning, it has been under his license all the time, his name was in the business up to a few years ago and then he sold out to Burnham and Morrill.

Q. And at the present moment they are the only ones carrying on business?—A. At the present moment, yes.

Q. We would like to get some information as to the history of the fishery; you have just told us that in the early days of the fishery you used to catch so many lobsters. I suppose you fish a great deal more gear now than you did then?—A. Pretty nearly double.

Q. You are still fishing lobsters?—A. Yes.

Q. About what time does the fishery begin here, your season opens with the 1st of April, does it not?—A. We do not put our traps in the water until the 1st of April.

Q. Are you bothered here with ice at all?—A. Yes, it bothers us some, but it has not the last few seasons.

Q. About what time do you generally put out your traps, about the first of April?—A. About the 1st, as near the 1st as we have a chance to put them out.

Q. Do you find the lobsters there as soon as you begin?—A. A few, of course the water is too cold, they cannot crawl very well.

Q. In what depth of water do you begin?—A. From 15 to 20 fathoms, of course some are in shoal water.

Q. How far will that take you off shore?—A. Not very far from the outer island, a little distance from the main shore of course.

Q. At what part of the season do you find fishing at its best?—A. In the first of the summer, along about May.

Q. About the month of May?—A. Yes, along about May.

Q. How do the lobsters run at the different periods of the season? What would you expect to catch when you first begin fishing?—A. Well, we expect to catch a little more than we do.

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Q. But as to the size of the lobsters? The fisherman is like that everywhere you know, he is always more or less of a grumbler.—A. Oh, it is generally the natural failing of man to be that.

Q. During the first week of the fishing how do you find the lobsters?—A. Some years we find them very good and at other times again we do not find them as good. Sometimes the lobsters are pretty plenty, it varies, four or five or six traps will get good fishing, and other traps near will not get much.

Q. That depends upon the kind of bottom you are on?—A. Yes.

Q. I suppose, as a rule, you look for a rocky bottom on the edge of a reef, or something of that kind?—A. Yes, we do not like a flat muddy bottom.

Q. As the season advances how do the lobsters turn out?—A. Not very good.

Q. And towards the end of the season?—A. They get pretty well shed, they crawl in the rocks and they do not like to come out without a good deal of coaxing, and they are not much use to a man then if he does catch them, some have to throw them away and others do not.

Q. Out of the total catch of lobsters made here what do you think will be the proportion below the 8 inch limit?—A. I believe from the time we start catching lobsters they are 15 per cent of the whole.

Q. That is the percentage of the whole. But out of every 100 lobsters how many would be below 8 inches, which is the legal size limit, although that limit is not enforced and is not lived up to?—A. I guess—upon my word I can hardly tell you—but guess they would be one-half wouldn't they? All of 50 per cent.

Q. You would not find 50 per cent outside when you first began fishing would you?—A. No, not at first.

Q. Does the percentage of small lobsters increase as the season advances?—A. Yes.

Q. Do you know how your lobsters run to the hundred pounds, you sell by weight, but have you ever counted them?—A. No, I have not, I could not possibly tell you that.

Q. But they are not as large, they will not average as large as they did when you began fishing?—A. Oh no, no, nothing like that.

Q. I suppose as the season advances you move your traps in from the deep water, they do in some places?—A. Yes.

Q. Into what depth of water do you move them?—A. Into 4, 5 and 3 fathoms and so on, but if a man would be satisfied to keep his traps in the deep water he would do about as well.

Q. In what way, would he catch as many or as big a run of lobsters?—A. A better size of lobsters.

Q. As to these seed lobsters that you speak about, do you find them all through the season?—A. You can catch the mother lobster at all times of the year, I have caught them at all times of the year with seed on them.

Q. Is there any particular time when the seed seems to be riper than it is at another time?—A. Yes.

Q. When would that be?—A. Along about the end of June.

Q. You notice the change in the eggs?—A. Yes, the eggs are riper, there is a certain age of the lobster for shedding and spawning, and it is not right to take the lobster at that time.

Q. I suppose the shedding season is after the spawning season?—A. I do not know about that.

Q. What percentage of the total catch will be seed lobsters with berries on?—A. There would not be a quarter.

Q. Would not that be a very large percentage?—A. No, there would not be a quarter, about 2 or 3 out of 100.

Q. Well, is the proportion larger at any one time of the season than it is at another?—A. No, I haven't found that.

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Q. In the early days I suppose you used the old fashioned trap, the double ender.
—A. Yes.

Q. Did you use the hoops before that at all?—A. The hand traps? Yes, we used them.

Q. That is an iron hoop with a net in it, we call them hoop nets?—A. Yes.

Q. That was the first kind you used, were they not in use before the traps?—A. Not before the traps, the traps were first used here after the factory was put up, and then after a year or two the hand traps were used.

Q. When were they used?—A. All through the season.

Q. Are they still used?—A. No.

Q. How was it they were given up?—A. The fishermen got the idea in their heads, and they had the idea pretty well right, that the hand trap was destroying the mother lobsters, and they thought it would be fair to all hands to give up using it.

Q. With regard to the female lobster with berries on, what has been the practice? What do you do with them?—A. Before the law came out that we should not catch them we sold them, and when the law came out we threw them away, but when I threw them out of my boat some other fellow would get them the next day in his.

Q. And what happens then?—A. I do not know what he did with them, I am not supposed to know.

Q. Do you think there is any growing feeling among the fishermen now that the seed lobsters should be protected?—A. I do, I think that the seed lobster ought to be protected.

Q. Are the fishermen more careful about her protection?—A. Yes.

Q. Are they more careful about washing the eggs off?—A. Yes.

Q. To what do you attribute this diminution in the quantity and size of the lobster?—A. To so many lobster fishermen taking out all the lobsters, the lobsters cannot breed as fast as they are caught.

Q. Was it not only because they were taking too many lobsters, but because of the destructive method of the fishery, the taking of the female lobsters with eggs on, and also the immature lobsters? Do you not think that is the cause?—A. Yes, I think so.

Q. Do you think we could govern the matter of the protection of the small lobster by insisting upon a fair opening between the slats in the trap? That size limit of 8 inches never has been enforced, the small lobsters have been taken?—A. Undoubtedly they have been by some fishermen.

Q. Do you think that if the size limit were abolished, it has been suggested by some fishermen that as it stands now it is only a farce, that we could provide for the escape of a certain proportion of the small lobsters by insisting on having a standard trap with a moderate sized opening between the slats?—A. Yes, if that were done he would turn round and go back again.

Q. When hauling the trap from the bottom to the surface you think the small lobsters would escape between the slats?—A. Some would, if he could make a quick move the lobster will go, but if he could not he would hang on to the trap, and there is nothing gained. I do not think you could make a trap that would keep the big ones in and that the little ones would go out; you could make it with a large opening, but he would remain there.

Q. Is it not a fact that when the traps were first made you allowed a greater space between the slats than you do now?—A. They were so plentiful then, but he would get in anyhow.

Q. What space do you allow between the slats now?—A. We generally take the narrowest lath we can get and use that for a guage.

Q. How much will that be?—A. Over an inch.

SESSIONAL PAPER No. 22a

Q. We see them less than that, in a great many places we find they are sometimes down to half an inch. Now why has that been done?—A. I do not know, it was not for the safety of the lobster at all, but it was just because the man fancied, I suppose, in his mind that he would make it that way.

Q. Do you not suppose that the fishermen have made the space with the narrow gauge in that way with a view of holding the small lobsters?—A. Yes, I believe that is right, as far as that goes. I believe he does, but still a lobster will not go out unless he is forced to by the big fellow. There may be a couple of little fellows in there and the big ones drive them out.

Q. You think that in hauling up the trap the small lobster will not escape when it is disturbed?—A. Not unless he is sitting on the head and can get out readily.

Q. You know the practice of the Department in recent years has been to limit the number of canning licenses, not to grant any new licenses, do you think there are canneries enough now?—A. No, I do not think it, I do not think there are enough, because I think there should be more canneries in operation so that they could not grind a man down and make him do as they please.

Q. You think the more canneries there are in operation the more competition there will be?—A. Yes.

Q. Would an increase in the number of canneries mean more fishing?—A. It would not mean more fishing, but more price.

Q. Would it mean more traps in the water?—A. I could not say whether it would.

Q. Do you not think that everybody who can engage in lobster fishing is at it already?—A. Yes.

Q. Do you think if you had 3 canneries here instead of one it would make any difference in the number fishing?—A. It would not make any difference if they all belonged to one man, but if they belonged to several different companies it would make a difference, because if the one man would not pay me my price I could go to another.

Q. If, instead of one cannery you had three, would it mean more gear on the ground?—A. I do not know that it would mean any more gear, because as soon as one old fellow drops out now there is another young one to take his place.

Q. There have been a number of complaints on the part of the fishermen that they have been more or less in the power of the canner, that they had no competition, and that they were not having a fair show and could not get enough for their lobsters. To remove that grievance as far as possible the Department has within the last two or three years agreed to issue co-operative licenses, that is that the fishermen by co-operating together could receive a license to can. Do you think that remedy removes the trouble as far as the fishermen are concerned?—A. I think it removes a lot of trouble, and I will tell you why. The factories come together and say that they will give us so much for our lobsters, and there was no other man to step in and raise the price, therefore the fishermen had either to sell for the price offered or give up fishing. Mr. Stropel here walks in and gives one cent more for the big lobsters, and he got all the fishermen around here, and finally the other factories had to compete with him in order to get some lobsters.

Q. They had to come up in price?—A. They had to come up too, so that if Mr. Stropel had not bought the lobsters here we would have ended maybe worse than we commenced.

Q. So that you think there will be nothing wrong in increasing the number of canneries?—A. I do not think so.

Q. Do you think the fishermen, one with the other could do better if packing for themselves than if they sell to the canners?—A. The fishermen on our shore cannot very well do that because they are engaged in other kinds of fishing which they would have to throw up if they commenced canning. The fishermen on our shore do not stick to lobster fishing only, they are all fitted out for other fishing, and if one thing won't fit they can go to another. If Mr. Stropel gives most he gets the lobsters, that is the way the majority of the fishermen work on this shore.

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SESSIONAL PAPER No. 22a

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Q. Do they all own their own boats and gear?—A. They do, they put in their lobsters to the factory until their bills are paid, and then they are free men and can do as they please.

Q. Do all the men supply their own boats and gear?—A. Yes, most of them.

Q. Does the factory supply some boats and gear?—A. Some of the factories supply the fishermen with gear for which they pay.

Q. In my own division the factory own the boats and gear and the fishermen are in some places paid by the month?—A. They are not that way here at all.

Q. Would you expect the canner to take all the lobsters you take to him, regardless of whether they are undersized or not?—A. It is all owing to circumstances, I could not expect him to take them if the law prohibits him from taking them.

Q. The law does prohibit their being taken, but what is the practice?—A. The practice is that a man usually puts in all he can.

Q. And the canner does not raise any objection to it?—A. No, he does not, because he wants to get all he can.

Q. Within your recollection has any attempt ever been made to enforce the present regulation with regard to the berried lobster, that she must be carefully put back in the water, and that the fisherman cannot bring in anything under 8 inches?—A. It has never been enforced except by the men themselves. I never saw any law in print to that effect, I have only heard men saying that we must let the egg lobster go and not take the small lobsters.

Q. Who was the man?—A. There was never any notice stuck up, any printed notification that we must not do this.

Q. Therefore no attempt was ever made to enforce the law?—A. No, only by the Government appointing some fellow who did not know one lobster from another to run around the factories and look at these men canning them.

Q. Those are the fishery overseers?—A. Those are the fishery overseers, the big majority of them that the Government appoints are that way.

Q. The lobster fishery has been falling off more in many places than it has here, and various suggestions have been made to the Government at different times as to what should be done to improve the conditions and save the lobster. Some people who take the extreme view say, 'Shut down altogether for 4 or 5 years.'—A. I would not know what to say on that, because there are a lot of people on our shore, and along this coast here, that depend a lot on the lobster fishing that have nothing else to work at, and if the factories were shut down they would have their hands tied and would not know what to do. There are a lot of people that can make a barrel of flour by getting a few lobsters around the shore, where they could not do anything if that were cut off.

Q. You think that would be a pretty hard measure?—A. Yes, it would be all right for those men who might say, 'I do not care whether you shut up the factories altogether.'

Q. The Lobster Commission of 1898, I do not know whether they came around here or not, reported in favour of closing down by sections, shutting off certain portions of the coast from year to year and moving the closed portions around gradually until the whole coast was covered.—A. I understand they did that, but west of here they can fish lobsters all the season, they come west as far as Sambro and Halifax, but we dare not put a trap down here until the first of April; while they can fish all through the season down there they can come and fish right on our grounds with us when our season opens?

Q. That is not what I mean. What these people mean is that the fishing should be stopped altogether on one section of the coast; say that there would be no fishing below Sambro, but you would fish here, and the next year they would shut you off here but they could fish down below Sambro.—A. I do not think that would be proper or right, because it appears to me that would be mere child's work.

SESSIONAL PAPER No. 22a

Q. There are other people who say, 'Give us a 7 inch instead of an 8 inch limit, and we will not catch the small lobsters,' but you know it used to be 9 inches and then they said, 'Make it 8 and we will not catch anything under 8.' But they have not done that, and now they want it cut down to 7 inches.—A. And let all below 6 go?

Q. That is it, but would there be many men let the 6 inch lobsters go?—A. Some men might not.

Q. There is another proposition, to do away with the size limit altogether, abolish it.—A. Yes, and keep all you can get, but let the egg lobsters be preserved.

Q. Keep all you can get, but insist on a certain space being left between the slats an inch or an inch and a quarter, with the idea that it would let a certain proportion of the small lobsters escape, and at the same time protect the berried lobster religiously, either by putting her in pounds or hatcheries, or by putting her back in the water, which is the natural and reasonable thing to do, and then cut 10 days or a fortnight off the end of the season?—A. Yes.

Q. The idea is that if they did that in a few years the lobster fishery would be very greatly improved?—A. Do you know what I think about the spawn lobster? I think it should be regulated to save her. The government should make a regulation that every fisherman should liberate his berried lobsters, and at the close of the season at the factory every fisherman should take his oath that he had liberated all his berried lobsters and the government should pay him a bonus for letting them go. I believe that would be the only way and the proper way to save the berried lobster, because no man that has any reason about him would take and wash the berries off when he knows that he has to take an oath that he has not done so——

Mr. ALBERT STROPEL.—You will want something else besides that, because a man that will wash a lobster in that way would not mind taking the oath.

A. (Continued) I say give every man so much at the closing of the season for throwing his lobsters away rather than washing them. He might be required to take oath that he did not wash, or ship or sell any of that kind of lobster.

Q. What do you think about the idea that we do away with the size limit altogether, regulating the space between the slats in the trap, protecting the berried lobster, and cutting off 10 days or a fortnight at the end of the season? Is it the practice of most of the fishermen to fish up to the close of the season? Are there not other fisheries that they can take to at that time, and is it not during the very last days of the season that the greatest damage to the small and berried lobsters is done?—A. Yes, I think it is, and I think there is a great deal of damage then by a man losing his traps. I do not think that would hurt the fishermen much by having 10 days cut off the end of the season.

Q. I do not mean here only, but universally.—A. I believe that would be all right, that is the best thing. As far as I am concerned, of course I am only one man, it would suit me all right, and of course other men, mostly all the men around here, are fishermen the same as I am and they know all about it.

Q. Another suggestion that has been made by some people is that the lobster fisherman should be licensed, that he should go to the fishery overseer who visits you periodically and get from him, before he begins lobster fishing, a printed license for which he need not be charged anything, which would bind him to observe the law and without which he could not fish. Their theory is that any man who took out such a license and signed an agreement to live up to the law would be careful not only to do so himself but to see that others also did the same, and if any man were proved to be in the habit of violating the law he would lose his license and would not be allowed to fish lobsters. How would that work?—A. I do not know how it would work.

A FISHERMAN.—It would work all right.—A. Yes, I believe that would work all right, but you see of course it would not do for me, if my neighbour did a little wrong thing, I would not like to put him into any trouble, and probably my neighbour would not like to do it to me, so that there would have to be some man appointed

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to look after that affair independent of the lobster fishermen, and find out whether the law was being observed.

Q. Which branch of the lobster fishery do you think is the most profitable one to protect? There are certain districts where the market fishery, what we call the live lobster export trade, can be carried on successfully?—A. Yes.

Q. Where that can be done do you think that branch should be protected and developed as against the canning?—A. Well, yes, I believe it would be best.

Q. In which branch of the fishery is there the most money for the fisherman?—A. Well, there is more money for the fisherman in the market lobster.

Q. And it is not the market fishery that is destroying the lobster is it?—A. No, I think not.

Q. The berried lobsters are not fit for market purposes?—A. No, because they are out of season.

Q. They tell us they will not stand transportation.—A. Yes, and more than that, in sending them to the United States you are only building up another country, they will breed them there and that will build up their fisheries.

Q. Of course there are other parts of the coast where canning must always be the first consideration because they have not the facilities for shipping lobsters alive to the market.—A. I do not know, there is more money in it for the fisherman in the large lobsters by all odds than there is for the small ones.

Q. What size is required for the market lobsters?—A. From 9 inches to 11 inches.

Q. From 9 inches up to any size?—A. From 9 inches up those are the shipping lobsters.

Q. Now as to the protection of the berried lobster several ways of protecting her have been suggested. Of course I think the best way is to put her straight back in the water and let her do her hatching in her own way?—A. Yes, I believe so.

Q. But it is also possible to hatch out the eggs by having hatcheries?—A. I do not know, I am something like the old man, I think the good old way is the best way.

Q. That is the old fashioned way?—A. Yes, let her do her own hatching.

Q. Did you ever think of putting the lobster in the pound; it is not in every place you can build pounds?—A. No, you have to have good salt water all the time and a good current. But it may work all right.

Q. Are there any places about this coast where you would have a chance to do that sort of thing?—A. Yes, there are places here where it can be done.

Q. Would you venture to say that where hatcheries or pounds can be established it should be done?—A. Yes, you could get one here that would be all right, because there is a place right over there that would be a good place for a lobster pound. It is always clean water there, and lobsters go there at present.

Q. Supposing you did enforce that 8-inch limit absolutely how would it affect the fishermen and canner? Would it put the canner out of commission here?—A. Do away with the 8-inch limit.

Q. No, not do away with the limit but take nothing under 8 inches.—A. I think it would.

Q. And the fishermen too?—A. Yes, I think it would hurt both parties.

Q. But would it put him out altogether?—A. It would stick him pretty bad.

Q. In a good many places they tell us it would put them out altogether?—A. Oh well, probably they are only talking on their own behalf.

Q. There is a smaller run up north than you have here?—A. Yes, of course there are some fine lobsters here.

Q. What proportion of your total catch would be market lobsters?—A. I could not say, the men that ship them would have a better idea of that than I would.

Witness discharged.

SESSIONAL PAPER No. 22a

JAMES E. BURKE, fisherman Drumhead, called:—

Make every man take out a license and keep him to the conditions. I have never seen any pots here with slats a half an inch apart, all our pots are 1½ inch anyhow. That is all I have to say.

WALLACE BURKE, fisherman, Drumhead, called and sworn:—

By the Commissioner:

Q. You are a resident of this place and you have always fished here?—A. Always.

Q. For how many years have you been lobster fishing?—A. About 16 years.

Q. Did you fish as much gear when you began fishing 16 years ago as you do now?—A. Just about one-half.

Q. What return did you get from it?—A. I got more 16 years ago with one-half the gear than I am getting now.

Q. Where has the decrease been, has it been principally in the size of the lobster or in the quantity?—A. In the quantity, I should say.

Q. In the quantity rather than in size?—A. Yes.

Q. You have the same experience, I suppose, as the other gentlemen who have given evidence, you begin fishing in deep water?—A. I begin in deep water.

Q. You are all deep water fishermen here, you are not inside, harbour fishermen?—A. Away out.

Q. In what depth of water?—A. 13 and 18 fathoms, we do not go past that.

Q. Does 18 fathoms take you to the edge of the drop here?—A. In some places it will, and in others it will not.

Q. When do you begin fishing?—A. Generally begin about the 10th, it depends upon the weather.

Q. Do the fishermen lose much gear here by bad weather?—A. Yes, quite a lot. We do not lose a great deal when we keep out in deep water.

Q. Would you venture to say, one year with another, what percentage of loss of gear the fishermen would have to reckon on?—A. It would go 25 per cent, it would go to 50 per cent with some fishermen.

Q. Those who fish in shoal water lose more gear than those who keep in the deep water?—A. Yes.

Q. You do not lose much gear with ice here?—A. No, it does not bother us much.

Q. How long do you fish in deep water?—A. From the 1st of April to the last of June we haul them up in the deep water, of course we get a few in shoal water but the majority in deep water.

Q. You keep out in deep water all the season?—A. Yes.

Q. Do you find it more profitable?—A. Yes, we cannot get very much in shoal water.

Q. It is the market lobster that you are after?—A. That is what we are after.

Q. And you keep in deep water in order to get them?—A. Yes.

Q. Do you find more berried lobsters at any particular time of the season than you do at another?—A. I see more in the last part of June.

Q. What percentage of berried lobsters do you get?—A. About 3 per cent, not over that, some folks may get more fishing inside.

Q. Do you think you get more males than females?—A. I never took any notice, but I do not think so.

Q. Some people say there are a great many more male than female lobsters?—A. Yes, I would think so.

Q. Does the size of the lobster remain pretty much the same all through the fishery, or when do you catch the largest ones?—A. We get the larger where we fish in June.

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Q. I suppose as the season advances they are better filled, they weigh better?—A. I do not know.

Q. The canners find that they are not as full in the early part of the season as they are the last?—A. Yes, they have more meat then.

Q. Is there much more gear fished now than when you first began?—A. Yes, double the amount.

Q. That is fishing for the same number of factories?—A. Yes, every man has nearly doubled the gear, and I think there are as many boats.

Q. Do you fish all single traps or on trawls?—A. Single, all single.

Q. You own your own boats and gear?—A. Yes, me and my brother, in common.

Q. And you fish together?—A. Yes.

Q. What do you think of the various propositions for improving the condition of the fishery, which one appears to you as being the most likely to be of use?—A. I think the hatcheries are the most use.

Q. What do you think of the proposition to shut down altogether?—A. I think that the license proposition is all right if the man is compelled to buy a license.

Q. I do not think it would be necessary to compel you to buy it, I think it should be issued without any charge?—A. Well, would you be compelled to take out a license.

Q. Yes, every fisherman would be compelled to take out one.—A. Then that would be all right.

Q. I think it could be done when the fishery inspector comes around with the fishing bounties, and if the fisherman violated the law he would not be allowed to fish.—A. Yes, that is all right.

Q. Supposing that the 8 inch limit were made a part of the condition of that license, do you think you could continue to fish?—A. Well, I do not know about that, the outside fishermen might continue to fish but the inshore fishermen could not, there would be no use their trying.

Q. They could not comply with the 8 inch limit?—A. No, they could not do that in the inshore fishing.

Q. What do you, personally, think of the proposition to do away with the 8 inch limit altogether and regulate the space between the slats, not only here but in other places?—A. I do not know that the space would make any difference, you would have to have the space smaller in the ends of the traps as well as in the sides.

Q. What space do you allow in the ends of the traps?—A. 3 inches.

Q. That is extension measure, that is what they say it is generally—and to protect the female lobster either by putting her back in the water or by bringing her in shore where the eggs could be stripped off her for the hatchery?—A. I think that is the best.

Q. Or by putting her in the pound.—A. Taking 10 days off in June would not be much hurt, there are not many lobsters taken after the 15th of June.

Q. Do you think the majority of the lobsters taken, or a large proportion of them after that date are undersized or berried lobsters?—A. I do not think so, after the 20th of June, you may get a few more berried lobsters but not any more small ones, in shoal water.

Q. You do not do much fishing in shoal water?—A. We have very few traps in shoal water.

Q. What do you think about the matter of issuing licenses to canneries, is there any good reason why any man should not get a license that applied for it, provided he could show he was prepared to go into the canning business and conduct it properly.—A. I do not see why he should not, I think the more canneries there are the better for the fishermen, that is of course if they do not combine, if they do, of course it is no better.

Q. Would an increase in the number of canneries necessarily mean more fishing?—A. No, I am only speaking for this place, but it should not here, because every man that can fish is fishing now, practically.

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Q. Do you think that the plan adopted by the department of issuing co-operative licenses is one that should assist the fisherman in protecting him from an unfair agreement between the packers if there is such a thing?—A. I think it will, yes. They did it down in Cape Breton this spring, but still they went back to the canners again, did they not?

Q. They had a great deal of difficulty in getting organized, they did not start until April, it was only after they could not agree with the canner that they started this, but that is not the time to start, they have to commence earlier to organize.—A. I do not know anything about that.

Q. Do you think it is all the department can do to protect the fishermen from any unfair agreement?—A. Yes, and they can give us a hatchery.

Q. Have you ever remarked as to the size of the female lobster with eggs? What is the smallest lobster you have ever seen with eggs?—A. I have seen them quite small, but I do not know how small; I have seen them I think under 8 inches.

Q. They say there is one now and again?—A. I think so, but I would not be sure.

Q. As between the two branches of the fishery, the market fishery, and fishing for the cannery, which branch of the fishery is the one that should be encouraged, do you think?—A. That is hardly a fair question because the inshore fishermen fish for the cannery and the outshore fishermen fish for the market.

Q. Which branch of the fishery is the destructive one?—Well, taking the small lobster, the inshore fishery.

Q. The market fishery is not the destructive one at all, you do not want small lobsters and you do not want berried lobsters, because if they have berries on them the market does not want them at all, and if you strip the berries off them they will not survive, will they?—A. No.

Q. Has that practice of stripping been extensively carried on in this district?—A. No, I have not, but I cannot answer for the other men.

Q. About that matter of the small lobsters escaping through the traps, do you think that a proportion of small lobsters do escape from the traps through the openings?—A. I think so, and through the holes in the nets which are larger than the holes in the traps.

Q. You think they do go through there?—A. Yes, some small ones.

Q. But what would you say about the hauling up of the trap, do you think the lobsters try to escape, or do they lay hold and hang on there until you get them up?—A. I do not know, I have seen them hanging on the outside sometimes.

Q. Do you think that if any such space were insisted upon it would mean that a proportion of the small lobsters would escape?—A. I do not know, I think the space around here is $1\frac{1}{2}$ inch.

Q. And yet, with that opening you do catch a considerable proportion of small lobsters?—A. Yes.

Q. Do you think that those who fish in shoal water narrow down the space between the slats at all?—A. I do not think they do around here.

Q. You think they use the same gauge?—A. Yes, I think so.

Q. They do use the same gauge?—A. I do not know, but here I think they are all pretty well alike.

Q. You make your own traps, what do you use as a gauge?—A. My brother makes them, I do not know, I suppose it is about an inch, I do not think it is under that.

Q. The fishermen generally tell us that the pole of the hatchet is used as a gauge in some places and in other places they use the lath itself.—A. It would be unhandy to use a lath every time, most of them use the hatchet head.

Q. Which of the two branches of the fishery do you think is the most profitable to the fisherman, the market sale or selling to the cannery?—A. The market is to the outside fisherman and the canner to the inside fisherman.

Q. Are the canners expected to take everything, without regard to the law, that you bring them?—A. I do not know whether they are expected to or not, but they do.

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Q. The fishermen expect them to take them?—A. They never insisted on the canners taking them, but they took them.

Q. There is no need to insist upon it perhaps?—A. No.

Q. The canners are anxious to get all they can?—A. They want all they can get.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. I could not tell, I do not know what the expense would be for canning. I haven't the least idea what it would be.

Q. Is there any illegal fishing done here to your knowledge, that is after the close of the season on the 30th of June?—A. No.

Q. In some places they fish after the season closes, you know, and there is some surreptitious canning done in the woods?—A. I do not know of any.

Q. Have you any experience of fall fishing?—A. Very little.

Q. I suppose you began fishing after the fall fishing had been cut off; at one time, in the beginning, they used to fish in the fall?—A. We tried once in the fall but did not do very much at it.

Q. Did they try canning, too?—A. No, exporting.

Q. It is said that it requires 30 per cent more lobsters in the fall to fill a pound can than it does in the summer?—A. I do not know about that.

Q. Do you think it would be wise to insist on the lobster fishery being carried on out beyond a certain depth of water?—A. At what depth?

Q. That would be for you to say now. There are those who say that the great harm is done by the shoal water fishing more than by the deep water fishing?—A. That will depend on the depth of the water.

Q. In some places the traps almost dry out you know?—A. Yes, you will catch them there all right in smooth weather.

Q. And in many places they use those hoop nets, they call them curleys in New Brunswick and they fish them when they cannot fish traps?—A. They do not use them here.

Q. Why were they given up?—A. I do not know, it was before I began fishing; I can remember the fishermen using them, but I guess it was because the lobsters were too scarce.

Q. It was not from any particular regard for saving the lobster?—A. No, I guess not.

Q. What is the average price you receive here for market lobsters?—A. What do they get here?

Q. Yes?—A. The average? Every year there is a different price. Last year it was 3½ cents for 9 to 10½ inches, and 9 to 10 I think for 10½ inches up. Ten was the highest here last year; 4½ for the 9-inch was the highest price.

Q. What was the highest price paid by the canner here in your case?—A. \$2.50 per hundred.

Q. And did that price advance during the season, did you get more towards the end of the season, or was it the same all the season through?—A. The same all through.

Q. That was as compared with how much last year?—A. There were different prices last year, I think it went as far as \$5.05 last year; on the average I should think we got \$4.50.

Q. As I understand it, your idea is that it would not be a serious injury to the fishermen to shorten the season a little?—A. Not to take ten days off, I do not think it would.

Q. And you say, build more hatcheries?—A. Build more hatcheries.

Q. And we might do away with the size limit?—A. I do not know about that.

Q. Or would you rather we stuck to the 8-inch limit?—A. I should think there would be more men benefited by doing away with the size limit. The canners could not run if you insist on the 8-inch limit.

SESSIONAL PAPER No. 22a

Q. Do you think where the market industry is the principal industry and the most profitable one for the fishermen, as it is in some places, that canning should be stopped there?—A. I do not know; I do not know anything about fishing outside of this place, there may be some men who are not capable of getting market lobsters, they cannot go far enough for them, some old men.

Q. It has been suggested that where the market fishery is the principal fishery, there the regulations should be so framed as to develop and protect that fishery, and practically close down the canning?—A. That would hardly be fair, because there are some men in every place that are unable to go far enough to get the market lobster, of course they get a few, but they have to stay around the shore and get what they can.

By Mr. Sinclair, M.P.:

Q. What proportion of the fishermen in this place are what you call inshore fishermen?—A. About one-fifth I should say, hardly that.

Q. One in five?—A. Yes, there may be one out of 8 or 10.

By the Commissioner:

Q. The great majority of the fishermen here are off-shore fishermen?—A. Yes.

By Mr. Sinclair, M.P.:

Q. You call all over 9 inch market lobsters?—A. Yes.

Q. And during the whole of the season you are able to dispose of them as market lobsters here?—A. We have been during the last three or four years.

Q. That is owing to the steamer calling here?—A. Yes, Mr. Stropel's steamer is calling.

Q. Once a week?—A. Once a week.

Q. And you are able to ship them once a week?—A. Yes.

Q. Are you able to take care of them during the week?—A. Mr. Stropel takes care of them.

Q. He is able to take care of them until the steamer comes along?—A. Mr. Stropel can answer for himself, he expresses them, but I do not know whether he is successful or not.

Q. He calls everything over 9 inch market lobsters, and you get the market price for them?—A. Yes.

Q. The commissioner was talking to you about the width between the slats, some fishermen at other places have said that it would be better if we compelled them to have an inch and a quarter space between the slats. Would it be necessary to have that opening all the way up or only between two or three slats at the bottom?—A. I think a few spaces of that width at the bottom would be sufficient.

Q. There are a number of traps owned by the fishermen now, and they would not want to throw them all away. Would it be sufficient to make three spaces of that width at the bottom in the old traps?—A. Yes, I should think so.

By the Commissioner:

Q. It would be necessary to give the fishermen notice that after a certain time we would require them to do this, and that all manufactured after a certain date must be made in that way.

By Mr. Sinclair, M.P.:

Q. What size seed lobster have you here?—A. I put them at 8 inches up.

Q. Have you seen any under 8?—A. Yes, but very few.

Q. It is a large lobster, is it not as a rule?—A. Yes, the berried lobster is from 9 inches upward.

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Q. Do you ever see any very small lobsters, an inch or a couple of inches long around the shore?—A. No, I never have.

Q. They see them around the Canso shore they say?—A. Oh well, they have seen them there, perhaps, around the hatchery.

Q. How long does it take the lobster to grow up?—A. I haven't the slightest idea.

Witness discharged.

The COMMISSIONER.—Has any gentleman any suggestion to offer, or are there any here who differ in opinion from the views that have already been expressed? Can we take it for granted that all agree with what has been said?

JAMES E. BURKE, Drumhead.—For my part I say, put away every lobster under 7 inches and all the berried lobsters and let every man have a license. I do not want the government to pay us for catching the seed lobsters and letting them go again.

Commission adjourned.

LISCOMBE, 3rd September, 1909 (9 a.m.).

WILLIAM JACK, fisherman, Gegoggin, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. I think I have been somewhere about 25 years.

Q. Always in this part of the country?—A. Yes, always up here.

Q. What time of the year do you begin your fishing?—A. We generally begin the last of April in Gegoggin.

Q. The last of April?—A. Yes, that is when I begin.

Q. Your open season commences on the first of April?—A. Yes, but you see every year the ice keeps in, and we cannot get out.

Q. That is harbour ice?—A. Yes.

Q. How many traps do you fish?—A. Of late years I have not been fishing many.

Q. What is the ordinary number?—A. About 30 traps, that is all I fish.

Q. Those are all hand line traps?—A. Yes.

Q. What was the most you ever did fish?—A. 125.

Q. That was years ago?—A. Yes, when the factory first commenced.

Q. What factory is that?—A. It was Mr. Lewis' factory then.

Q. How many factories are there here?—A. There were two then but now there is only one.

Q. Do you own your own boat and gear?—A. Yes, I only fish a few traps, and I have only a small skiff to go out in.

Q. Do most of the fishermen own their own gear here, or do the factories supply them?—A. I could not tell you.

Q. In what depth of water do you begin generally?—A. We begin in 8 fathoms.

Q. You do not go out as far as some others?—A. No, my boat is small and I cannot go.

Q. Do you fish in that depth of water all season?—A. No, we shift in shore into 5 fathoms.

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Q. When do you make that shift?—A. About the first of June.

Q. And do you fish in five fathoms up till the end of June?—A. Yes.

Q. What is the best part of the fishing season with you?—A. I do best in May.

Q. How do the lobsters run, when do you get the best lobsters?—A. In May.

Q. When you come further in shore do you get a smaller run of lobsters or are they about the same?—A. About the same, well perhaps a little smaller.

Q. What percentage of the catch would be under 8 inches?—A. There would not be a great many.

Q. There would not be a great many?—A. No.

Q. Have you any idea how many?—A. No, I cannot say.

Q. The law says they shall not be taken under 8 inches, but that has never been enforced, nobody has paid much attention to it.—A. I thought it was under 10 inches.

Q. No, under 8, the 10-inch are market lobsters you see. How do the fish compare, those you get in shoal water with those you get in deeper water?—A. Not quite as good later in the season when the lobsters are shedding.

Q. When do they spawn do you think?—A. June and July

Q. How many berried lobsters do you find out of every hundred?—A. Well, perhaps you wouldn't get any at all.

Q. That is on some days?—A. Yes.

Q. And on the other days what would you get?—A. You might get 5, 6, 7, 8, 9, or 10, something like that.

Q. What has been the practice here with those lobsters, do you bring them all to the cannery?—A. I do not know.

Q. What do you do with yours?—A. The small ones, the little ones, I throw away, but I fetch all the others.

Q. What do you throw away?—A. All under 8 inches.

Q. Then you live strictly up to the law?—A. Well, I think it would be right to do so.

Q. And how about the berried lobsters?—A. I throw them all away, I bring them inside and throw them overboard in the harbour and let them breed there.

Q. What does the canner do, does he refuse to take them?—A. Yes, he refuses to take them.

Q. What proportion of those lobsters you catch would be market lobsters?—A. There would not be more than one third.

Q. Are there many more fishermen fishing lobsters here now than when you began?—A. Yes, I guess there are five to one now.

Q. And that, of course, means there is a great deal more gear in use?—A. Yes, a lot more.

Q. What style of traps do you use?—A. Well, I use a small trap.

Q. Do you use the parlour trap or the old fashioned double-ender?—A. The parlour, well, there is a head at one end and others in the side.

Q. That is the parlour trap, some have two openings in the side and others only one. What space do you allow between the slats in your traps, what opening?—A. About one inch.

Q. Do you think it makes any difference what size there is, do the small lobsters get out of the traps?—A. Oh, yes, they often crawl out.

Q. Do you think that a small opening between the slats would prevent the small lobsters getting out?—A. It certainly would.

Q. Do you think we can protect the small lobsters by requiring a certain stated opening between the slats?—A. Yes, some but not all.

Q. There are always some that would remain would they not?—A. Yes, some will always remain in the trap.

Q. Do you think we could protect them to some extent by that method?—A. Oh yes, you could.

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Q. How small a lobster do you think is worth canning?—A. Under 8 inches they are not much, not worth bothering with.

Q. Do you know how many 8 inch lobsters it takes to fill a pound can?—A. No, sir, I do not know, I have not worked in a factory.

Q. Is it to your knowledge do you know on your own account whether the fishermen here generally are careful to put the berried lobster back in the water?—A. I do not know, I cannot say.

Q. You do not know whether the practice of stripping the berried lobster is one that is carried out here?—A. I could not say about that.

Q. What price do you get for your lobsters?—A. We used to get \$4 but last year we only got \$2.40.

Q. How was that?—A. I do not know, I am sure, how it was; they would not give any more.

Q. You told me that you throw all the small and berried lobsters overboard?—A. I do not bring them ashore at all, if there is one in the boat that I did not take notice of I throw him out when I get inside.

Q. Do you think that as a rule you find more spawn lobsters close in shore than outside?—A. Oh yes, more close in, and towards the last of June.

Q. Have you ever remarked about the berried lobster, how small have you seen them with berries on?—A. There are not many under 10 inches.

Q. There are not a great many under 10 inches?—A. No.

Q. Now, of course you understand that the fishery has failed greatly?—A. Yes, so they say.

Q. What is that due to?—A. Now I am afraid there have been a good many taken in the fall.

Q. You think a good many have been taken in the fall?—A. I am afraid so.

Q. Is that what you would attribute the decrease to?—A. Yes, that is it, I think.

Q. Why would there be more harm in taking them in the fall than in the spring?—A. They do not begin to be as good then and it will take 25 or 30 more lobsters to fill the case in the fall than in the spring and they are soft shelled.

Q. Has it been the practice here to do fall fishing?—A. I think there has been considerable done in this place.

Q. Where would they can them?—A. I do not know, in the woods I suppose and in the houses.

Q. Is that still going on, do you think?—A. I am afraid of it, I think the pots should all be landed the last week in July.

Q. Do they leave them out?—A. Why, I guess there are some out yet; I was outside the island the other day and I saw five buoys out there, so I guess there must be traps there.

Q. Who runs this cannery here now?—A. I think it is Mr. Redden.

Q. Who does it belong to?—A. I cannot tell you who it belongs to.

Q. You sell your lobsters to it?—A. Yes, I sell my lobsters here.

Witness discharged.

IRA RUDOLPH, fisherman, West Liscombe, called and sworn:—

By the Commissioner:

Q. How long have you been engaged lobster fishing?—A. About 13 years.

Q. Have you always fished in this neighbourhood?—A. Always here, yes.

Q. You fish your own boat and gear?—A. Yes, I fish my own boat and gear.

Q. What number of traps do you fish?—A. Somewhere about a hundred, maybe a few more or a few less.

Q. Is that a single handed boat, or have you help?—A. Single handed most of the time, I have had a man with me but I am almost always alone.

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Q. At what time do you begin fishing, when do you put the traps out?—A. As soon as convenient, sometimes on the first of April, sometimes later, as late as the 27th

Q. Does the gulf ice trouble you here?—A. Sometimes, but not for many years.

Q. Have you ever had it here?—A. Yes, but quite a number of years ago.

Q. You can begin on the first of April?—A. Yes, except owing to bad weather.

Q. Could you begin in March or February?—A. Of course a man could some years, I suppose, and then again there are more years he could not.

Q. Because there would be, I imagine, no objection at all to letting the season open on the first of January, and you could then go to fishing as soon as you liked?—A. There would not be much done in January or February, of course a man might run a small business in March.

Q. There is no objection whatever that I can see to letting the season open on the first of January, and you could start fishing when it suited you after that. Of course away to the westward of you they begin on the first of January and do a good deal of fishing in that month, but do not do much in February and March, which are pretty rough months?—A. My idea about the lobster fishery is to close the spring fishing altogether.

Q. We will come to that later, you begin as soon as you can in April?—A. Yes.

Q. In what depth of water do you put out your traps?—A. We put the outside traps in 10, 12 and 14 fathoms.

Q. And about how far off shore is that generally?—A. About one mile or better outside Liscombe island. Of course there are some fishermen fish outside that, but that is as far as I go.

Q. How long do you fish in that depth of water?—A. I stay there until about the middle or 20th of May.

Q. And then?—A. I shift them into shore.

Q. Into two or three fathoms?—A. Yes, into three or four fathoms of water. Of course those who fish in the harbour fish in three or four fathoms.

Q. Do you get a smaller run of fish in the harbour?—A. Yes.

Q. What is the best time of your fishing?—A. May is the best month we have.

Q. You get more fish then?—A. May is the best month because we have the best weather.

Q. How do you find the fishing at the beginning of the season? In April, in May and in June? In each of those months, how do you find them run as to size and as to weight? When you first get them in April they are not as full as they are later on, are they?—A. Well, in the outside lobster I cannot see much difference, not a great deal, of course I think about the first of May we have our best lobsters here.

Q. That is the largest and in the best condition?—A. Certainly, yes.

Q. After you move inshore how do you find them?—A. Oh, well, they run small.

Q. They are smaller?—A. Yes, smaller, and you have to throw half of them away.

Q. You know the regulations which require that the berried lobster be put back into the water and that nothing under 8 inches shall be taken?—A. Certainly.

Q. But we all know that the regulation has never been enforced?—A. Not as it should be, no, sir.

Q. What has been the practice here, what do you generally do?—A. Here at Liscombe a great part, I could not say all, I would not like to do that, return the seed lobster to the sea where she is taken. I know the most of the men who fish on the same ground as I do when they take the seed lobster out of the trap throw her overboard, and I do that myself. There are some maybe take them to the cars and sort them inside, they do not stop to pick them out at the traps, but of course the factories will not take them.

Q. Were they always of that mind?—A. I could not say that, you know.

Q. But of recent years they have been?—A. Yes.

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Q. Has the practice of brushing the eggs off them by the fishermen ever been followed here at all?—A. That is a hard question to answer.

Q. It has been done, we know, in many places?—A. I have no doubt it is; of course, there is no man who will do it that will turn round and say he did.

Q. It is a very bad practice?—A. It is a practice that a man should be arrested for.

Q. Do you think the fishermen generally are beginning to understand that they should save the berried lobster?—A. Some of them do, and some of them cannot see it. Some fishermen say, 'There will be lobsters as long as I need them,' and there are some men that are very particular about it.

Q. How is it as to the small lobster under 8 inches?—A. There are very few of them measured.

Q. You think not?—A. We guess the length of them.

Q. Are there many taken under 8 inches?—A. That will be pretty hard for me to say; but speaking to the best of my knowledge, I would suppose there are some.

Q. But you cannot tell me what proportion?—A. No.

Q. In some places we find there are 50, 60, and even 80, out of every hundred?—A. There is nothing like that proportion here at all, because I have thrown away myself, in picking them out of the pot, all that I thought were too little for anything.

Q. What does the canner do, does he object to receiving the small lobsters?—A. I do not know whether they measure them and throw them away afterwards; I cannot say.

Q. Now, as to the trap; what style of trap are you using now?—A. We use a trap that is called the parlour or jail trap.

Q. Is that trap used altogether on this coast now?—A. Yes, and they put the laths about one inch apart, and the net for the head has a 3-inch mesh; a 6 or 7-inch lobster goes through that way and escapes, unless he is eating his dinner when you begin to move the trap.

Q. There seems to be a difference of opinion among the fishermen as to whether the lobster will try to escape when you begin to move it?—A. I do not know.

Q. If you have a small lobster in your trap when you begin to haul it up, will he grab hold and hang on?—A. No, he will not grab on; I have seen him leave through the trap, and not little ones either, but big ones, too.

Q. And the little ones will do that, too?—A. Yes, in very much the same way.

Q. They say that if we insist on an inch or an inch and a quarter space between the slats it will let the small lobsters through, but in some places they have it down to half an inch?—A. That is small.

Q. In some places they want to get all the small lobsters they can for canning purposes, because they cannot get any more?—A. That is so.

Q. Do you think it really will let the small lobsters escape?—A. It will let a good many, because if there is one mesh broken in the head they will all go out, except it is a monstrous big one.

Q. A monstrous one would not go through the hoop of the net?—A. Yes, I got a 7½ pound one this year.

Q. You sell your lobsters to the canner of course?—A. Yes.

Q. What do you receive for them?—A. This present summer we got \$2.50 for a hundred weight.

Q. And for your market lobsters what would you get?—A. 8 cents, the mean sum of 8 cents.

Q. And they must be 9 inches long?—A. They must be 10½ in order to get 8 cents for them.

Q. Who fixes the price that you receive for your lobsters, how is it arranged?—A. The packer does it.

Q. It is the packer does that?—A. Yes.

SESSIONAL PAPER No. 22a

Q. There is practically no competition now, you have to take what they give you?—A. Exactly.

Q. Do you think if there were more canneries licensed there would be more competition?—A. Not a bit, if there were 5,000 it would not be any better than if there were 4.

Q. Why?—A. Because they will all pull together.

Q. There is another question that comes out of that, how do you think the fishermen would do if they canned for themselves? Would there be any more money in canning?—A. You want my opinion of that?

Q. Yes?—A. I think that inside of three years there would be so many rotten lobsters in the market that you could not get anything for your canned goods.

Q. You think it is better that the canning should be done by an established cannery where they have competent men.—A. Yes, but of course there are lots of people who are not of the same opinion as I am. They will say, 'I can pack good goods and everybody else can do the same,' but they cannot.

Q. Which branch of the fishery do you think is the most profitable one to the fisherman, the live lobster export trade or the sale to the canner?—A. What is the most money for the fisherman?

Q. Yes.—A. As the season has been?

Q. Well, as it is going, you see there are the two fisheries, and what I want to get from you is whether in drafting the regulations one branch of the fishery should be favoured more than the other.—A. Where we are getting the price for our lobsters it does not amount to anything, because it is figured down so neat that the live lobster is just about the same as any other, but if we could ship live lobsters to market on our own account it would be better.

Q. Of course there are risks there too?—A. Yes.

Q. How do you ship live lobsters from this part of the world?—A. In crates to Halifax.

Q. How often can you ship them?—A. About once a week the boat runs here.

Q. Which boat is that?—A. The *Dufferin*.. Of course the packers have their own boats to ship their own crates.

Q. Various propositions have been made to the department on the matter of the lobster protection and doing something or other to increase the supply of lobsters and to improve the condition of the fishery which is undoubtedly declining and getting run out?—A. Certainly it is.

Q. Some people say, shut down altogether for four or five years in order to let the fish rest and grow up, what do you think about that?—A. I would not approve of that at all.

Q. For what reason? You see it is reasons we want?—A. Well, the reason is that on the whole south shore of Nova Scotia here, it would put a lot of people in a bad hole for a while if it were shut off, of course there is always a way to get along, but at present a lot of people depend upon the lobster fishery for their living and if it were shut down they would have to go elsewhere and would never come back afterwards.

Q. In 1898 the Lobster Commission went through this country and made enquiries?—A. They were here but I did not happen to meet them.

Q. They made a recommendation in favour of shutting down by sections, closing off different portions along the coast in succession?—A. That would not be any better than the other because I will tell you, a few years ago, about 8 or 9, down here at the south end of Cape Breton, Cape Morien, the lobster business went down there so low that the people could not fish, and it got down to nothing. Leslie bought a factory there and started it on a small scale. In 1904 the lobsters struck there in plenty, more than they ever were since the first opening, he had at one time 80,000 lobsters, 40,000 were boiled and they spoiled on him, and they got 40,000 in

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crates, and could not handle them. I saw that for myself. Of course for a short time there were lots of lobsters, but it was unusual.

Q. To what do you attribute that immense run of lobsters there?—A. I have no idea what caused it. The lobsters just happened to get together and struck that part of the coast in a pile, they had the food they wanted and stayed there.

Q. Were you there to see that?—A. No, but they did well the year after, and the next year they did well.

Q. But that ground had been resting for a while, had it not?—A. No, it had always been fished, but the lobsters were so scarce it didn't pay to do so.

Q. Other suggestions have been made, some people say, instead of an 8-inch, give us a 7-inch limit and then we would obey the law?—A. It would be obeyed just as well with the limit as it is as with the 7-inch limit, although, of course, it would be well to put it down to 7 inches if the people would agree to that.

Q. Then it is said, do away with the size limit altogether, because that never has been and cannot be enforced, and give us say an 1½-inch space between the slats of the trap, and that opening will be the best guarantee that a certain proportion of the small lobsters will escape?—A. Certainly.

Q. Protect the berried lobsters?—A. Yes.

Q. And knock about 10 days off the end of the season at the end of June?—A. When it comes to that, I do not say anything one way or the other.

Q. Some say it is the last few days of the season that the harm is done?—A. Yes cut it off altogether.

Q. Cut all the spring fishing off?—A. Yes.

Q. And fish when?—A. September, October and November.

Q. Can you fish here in November?—A. Yes.

Q. Is it better here for fishing than in the spring?—A. Yes.

Q. Have you discussed that with the other fishermen?—A. Yes, I have with the men where I live, and they agree with me.

Q. And your idea is that the lobsters, having cast their shell and spawned, will be better in the fall?—A. Yes.

Q. They say it takes nearly 20 per cent more lobsters in the fall than in the spring to fill a one pound can?—A. I do not know anything about that, but I have talked with a lot of people who have done fall packing, and they say it will be better if we could get that; they think it would protect the fish and help the fishermen out, simply because there are no live lobsters coming into the American market at that time, and if we could ship them in then we would get a price for them, and the fishermen would get twice as much money for one half as many lobsters.

Q. Would it not be difficult to have fall fishing on some portions of the coast, take the other side of Halifax?—A. It is only from Halifax here that we have spring fishing, but in their portion of the coast they fish in the winter.

Q. They begin on the 15th of December and fish up to the end of May, do they not?—A. Yes; that is the great question, and it should be stopped; let one half the coast, where there is a difference made in the seasons, have all of it during their season, and then let the other end have it all during their season, and then in the spring the price will be up for the people down at the other end; but, as it is now, when May comes in and we begin fishing here on the eastern shore the market is blocked, and it spoils the market both for them and us, whereas if we had the fall season we would be able to get good prices and would not interfere with them.

Q. How far would you have that winter fishing extend? Would you begin at Halifax?—A. I think, as far as I can see in the matter, it would suit the whole shore from Halifax east.

Q. How far east?—A. To Scatari or Port Morien, because down there the people are terribly bothered with ice in the spring of the year, which we consider a bad thing to deal with.

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Q. How are the winds in the fall?—A. We have variable winds the whole season through.

Q. Do you have more easterly winds in the spring than in the fall?—A. Yes, mostly.

Q. The westerly and northwesterly winds prevail in the fall rather than the easterly?—A. Yes; I think it would make a lot of difference to a lot of people, and it would help to give the lobsters a rest, just about as well as closing down here. That is my idea about the seasons.

Q. There is a great deal in that, and it is no doubt worth consideration. You do not think that issuing more canning licenses would make very much difference?—A. I do not think so.

Q. Do you think it means catching any more fish; is not the ground pretty well covered at present?—A. Well, it is.

Q. They have told us in some places that there is no room for more fishermen, and that there is no more fishermen to engage in it?—A. I think that is right.

Q. So that an increase in the number of canneries would not mean any more fishermen?—A. I could not say whether it would be any more protection to the fish or to the fishermen, but there would be a lot of canned goods that are not worth handling, because a lot of people would go into the business that did not know anything about it.

Q. Another thing that has been suggested—of course, you understand various people are making suggestions to the department all the time and giving advice as to what should be done—is that the lobster fishermen should be licensed; it is not suggested that the fisherman be charged anything for the license, but that before he commences fishing he should give in his name, receive a number and take out a regular fisherman's license?—A. And make him swear to it?

Q. Yes, that might be done. It is suggested that having taken out that license the fisherman would feel bound to live up to the regulations, whatever they might be?—A. Yes.

Q. And having done so, he would be careful to see that his neighbours also obeyed the law, and he might inform on them if they did not?—A. Certainly.

Q. Of course, if a man were found to be persistently violating the law, his license would be cancelled and he would not be allowed to fish any more?—A. I think that would be all right, because I certainly believe in putting away the seed lobsters.

Q. That is the law now?—A. Yes; of course, as far as the little ones go, people may as well say nothing about it, because if you get a small one that is only one lobster, but if you take one that is full of eggs that means a good many.

Q. Is there anything you think of yourself you would like to have put down? If there is anything I have omitted to ask you about, we are ready to take down any suggestion which you may have to make?—A. I think it is of no benefit at all to the fishery to let the factory run on until the middle of June. If there is to be any protection given to the lobster at all, and if you want to keep the fishermen alive, shut her down during the spring and start her again on the first of September and run her three months, or whatever time they can give us. That is my idea, and I think that in three years the people will see the difference both in their homes and in the fishery. Any gear that a man might have would not then be lost in the sea every year. There are fishermen here who have lost 100 traps, gear and everything, and that means \$100 lost to him, whereas if he had fished in the fall he would not have lost one-tenth of that.

Q. Do you know anything about lobster hatcheries?—A. I am not posted in them, but from what people tell me they are genuine affairs.

Q. Did you ever think of the matter of pounds, taking the female lobster and putting her in a pound where she can be held while she hatches out her eggs, possibly, or if not let her go at the end of the fishing season?—A. Anything like that would be all right. Are there any along the shore?

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Q. Yes, there is one at Fourchu which has been a success, and there are some on the coast of Maine?—A. Well, they keep the fishery up there pretty well, and they have been fishing there longer than we have here. Another thing I would like to mention is that there should be some better provision to prevent sawdust from being thrown into the water where the mills are operating. It has certainly interfered with the fishing here. There are salmon, trout, gaspereau and herring running up that river near here where the sawdust is doing damage; some of the mills have sawdust burners, but there are other mills here that have not.

Witness discharged.

WILLIAM WILSON, fisherman, Liscombe, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. I suppose from first to last, of course this last hitch I have only been two years, but I have been at it eleven seasons altogether.

Q. That is since you first began?—A. Yes.

Q. Have you always fished in this neighbourhood?—A. No; I fished in Northumberland Straits five seasons.

Q. You did not live down there, you just went down there to carry on fishing?—A. I fished for the Portland Packing Company three summers.

Q. At what particular place?—A. I might call it Cape Tormentine.

Q. Who was the manager there then?—A. A. P. Lewis, the agent of Mr. Baxter.

Q. When do you generally begin fishing here?—A. Of course, our season opens on the 1st of April, and in a fine spring the first taking of our lobsters would be, I suppose, about the 5th or 6th of April, something like that, and I do not know but it would be before that.

Q. In what depth of water do you generally begin?—A. We generally begin anywhere between 16 and 10 fathoms.

Q. What number of traps do you generally fish?—A. I generally fish from 100 to 130.

Q. Are they fished on trawls or single lines?—A. Single lines.

Q. You fish alone?—A. Yes.

Q. How long do you fish on that ground?—A. Well, let me see, I would say about a month and a half.

Q. And then you move into shoal water?—A. Yes, I begin to shift then.

Q. Into what depth of water?—A. From about 9 fathoms to 3.

Q. Now, how is the fishery at the different periods of the season, when do you have your best fishing?—A. The best fishing that I find is in May.

Q. Are most of those who fish lobsters also carrying on other branches of the fishery?—A. At the same time, do you mean?

Q. No; but a great many people who fish lobsters in some parts of the coast, in Northumberland Straits, for instance, are farmers, labourers, etc., who carry on that fishery but do no other fishing?—A. That is right.

Q. Is there much of that here?—A. No.

Q. The most of those who fish lobsters continue the fishing in other branches?—A. Yes.

Q. You tell us that your best fishing is in May?—A. Yes.

Q. Now, as to the proportion of large and small fish, is there any particular part of the season when you would expect to get a smaller run of fish than you would at another time? When you move inshore are the fish as good on the average as they were when you were offshore?—A. I do not hardly know how to answer that question, because I never see much difference in the run of lobsters, but I believe that the best season is in May.

SESSIONAL PAPER No. 22a

Q. Do you get more market lobsters in May than you do in June?—A. Yes.

Q. What proportion of lobsters would be below the 8-inch limit? You know that in some places they tell us if we enforced that limit strictly we would put the canners and the fishermen out of business altogether, that they could not get enough fish unless they took the small ones, in the Straits of Northumberland especially that is the case?—A. Yes, it is, still any lobster under 8 inches is middling small. I have never measured one of that size, but I should judge by the 9-inch lobster he would not be very large. I am aware that there are a lot of small ones taken, but still I do not think it would be advisable to stop them below 8 inches, because I do not think if a man takes any below that size he is doing any harm to the lobster.

Q. But how do you think it would affect the fisherman if the law as it exists at present were strictly enforced? Supposing you were not allowed to take anything below 8 inches, would it make much of a hole in his catch?—A. Yes, it would.

Q. And it would consequently affect the canner who would have a good deal less to can?—A. Yes, that is so.

Q. Now as to the berried lobster, what is done with her?—A. To my knowledge they are all thrown into the sea again, I know what I do.

Q. Has that always been the case?—A. Since, now, these two years that I have fished here. Of course when I fished here before there was no difference made, because they all went.

Q. They all kept them?—A. Yes, I think so, but I do not exactly remember.

Q. Is it to your knowledge that the practice of brushing the eggs off has been followed to any extent?—A. I never saw it done, and unless a man sees it done he cannot very well speak for it.

Q. Are the canners careful and scrupulous about accepting berried lobsters? Did they refuse to accept them?—A. Oh yes, they always did from me.

Q. What price do you receive for your lobsters?—A. Last year I think we had \$4.50 and 12 cents for markets.

Q. That is for those above 10½ inches?—A. Yes, and the price this year was \$2.50 and 8 cents.

Q. What led to that drop in the price, do you know?—A. Well, they say that it was on account of canned lobsters falling in the market.

Q. What was your impression? Who fixes the price, how is the price for lobsters fixed?—A. Well, I suppose that it lies between the packers and the buyers, that is my idea.

Q. Are there any complaints on the part of the fishermen that they are not receiving enough for their lobsters?—A. Yes, lots of them.

Q. Do you think if there were more canneries licensed that it would lead to more competition in the market?—A. Yes, and the more competition the better for the fishermen.

Q. And you think more canneries would not mean more fishing?—A. No.

Q. You think there are as many people fishing lobsters at present as there is room for?—A. Yes, well yes, just about.

Q. It has been the policy of the department for some years back not to grant any new licenses, the idea being to protect the fishery, but they have not limited the amount of gear. These complaints have reached the ear of the department and as a way out of the difficulty during the last two years what is called co-operative licenses have been granted to fishermen where they group themselves together for the purpose of canning. Do you think that the issue of those licenses offers a fair way to the fishermen out of the difficulty, if he is not satisfied with the price he receives from the canner he can unite with a number of other fishermen, secure a license, and they can open a cannery on their own account?—A. That would be a very good thing.

Q. It has been done in a number of instances?—A. Yes, I have heard of it; well, there is one thing, the packers would not then have it all their own way. I do

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Q. Do most of the fishermen begin to rig out for other fishing before the end of June?—A. Yes.

Q. And they would have other fishing to go to, so they would not be seriously injured by the change?—A. Oh, no.

Q. What do you think about this fall fishing that we have heard of?—A. That is something I would not like to make any promises on at all. We do not know how it would turn out, it must be tried first.

Q. In the first place, how is the weather in the fall?—A. Well, it is rather better than it is in the spring I should say.

Q. Here you have westerly winds prevailing in the fall, and you are sheltered from that?—A. Yes, we have westerly winds and we are sheltered here, but April is a poor month here, because generally we have bad weather some time in that month, and that takes up the time, so that the season is very short; by the time the gear is put in the water it makes it a short month.

Q. Can you do any fishing in January, February or March?—A. Yes, we can.

Q. There is, as far as I can see, no objection whatever to opening the season here at the same time as it opens west of Halifax, that is the 1st of January?—A. I do not see any difference here in a great many springs between the 15th of March and the 1st of April, we have just as many bad snowstorms here some springs in April as we have in March, and I do not think that it is any colder. If I had my way, of course, which I never will have, I would have the season from the 15th of March to the 15th of June, or the 10th of June, and quit the business then.

Q. And go to some other fishing?—A. Yes, that is what I would do. But there is one thing that the government ought to give the fishermen in the spring of the year and that would make their season a lot better, allow the fishermen if they choose to put their traps in the water, but not allow them to bait them before the 1st of April; there are lots of times in the last week of March when we have some of the finest weather for taking gear out, and if we were allowed to take advantage of that fine weather to load up our traps and get them out in the water, but not put bait in them until the 1st of April, it would be a very great advantage to us.

Q. I do not see any reason myself why the open season should not commence, as it does south of Halifax, on the 1st of January?—A. There would be very few men begin then.

Q. But still there is no objection, as far as I can see, to letting the open season commence on the 1st of January, and you could begin just whenever you pleased after that?—A. No, there is none whatever, and that would be the best way to settle it; if the question were settled that way, there would be no kick coming from the fishermen.

Q. Some people tell us that if you do that the fisherman will put his gear out too early and will lose it, but that is his own business; it does not appear to me we have anything to do with that?—A. Certainly, that is his own business.

Q. As to this market business, what proportion of the fish caught here are markets?—A. I suppose a man would have to give an average of his own catch.

Q. Oh, yes, we want your own?—A. Oh, about one-third, I suppose.

Q. Markets would be about one-third?—A. Yes.

Q. What is the total catch of a good fisherman? What does it amount to in your season here, how many thousand pounds would it be, markets and everything else?—A. I suppose about 5,000 pounds, that is markets and packing together. That is in a good fair season, with good fishing and good weather.

Witness discharged.

SESSIONAL PAPER No. 22a

WILLIAM BAKER, senior, fisherman, Little Liscombe, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. Oh about 25 years.

Q. I suppose there were not many canneries when you began?—A. No, there was only one factory here.

Q. How many are there here now?—A. There is only just one in this harbour.

Q. Are there any others near here?—A. There is one at Marie Joseph, but it shut down last year.

Q. Why?—A. The fishermen got fishing for the other man.

Q. Who did it belong to?—A. W. K. Lewis and Brothers at first, then other parties had it and Burnham & Morrill were the last men.

Q. Whose cannery do you call this here, who has the license?—A. I guess it is licensed to Burnham & Morrill.

Q. This one here?—A. Yes.

Q. Have they been running it?—A. Yes, they have been running it, I think this shop has only been leased, Mr. Hemlow has an interest in it.

Q. Have you always fished lobsters from this locality?—A. Yes, always.

Q. How is the fishery now compared with what it was when you began?—A. It is very scarce compared with what it was then.

Q. And how is it as to size?—A. Smaller size.

Q. Still you have some big lobsters?—A. Yes.

Q. But you are taking a larger proportion of small ones, are you?—A. Well, according to the number. Of course this present year the lobsters were smaller, there were not as many big ones as the year before when they were larger and not as many small. Last year in the best part of the season it was very rough weather and we could not do anything at lobster fishing when the big ones were here.

Q. When do the best lobsters come on?—A. From the middle of April to the middle of May.

Q. You fish how many traps?—A. From 100 to 125 and 130.

Q. You own your own boat and gear and everything else?—A. Yes.

Q. In what depth of water do you begin fishing?—A. About 14 fathoms.

Q. And as the season advances you follow the lobsters inshore?—A. Yes.

Q. Do you fish on single lines or a trawl?—A. Single lines.

Q. Everyone does that nowadays?—A. Yes, mostly all, I think.

Q. You used to fish trawls?—A. Yes.

Q. Why did you give the trawls up?—A. So many people fish single traps, they dragged over our trawls and we had to take the same way.

Q. The single traps take more rope do they?—A. No, the trawls take most rope.

Q. In my country we mostly fish trawls everywhere.—A. So they do on the north shore.

Q. Some of our canners imported fishermen this year from Grand Manan, and I noticed they fished single lines and hauled their traps twice a day.—A. Yes, the lobsters are too scarce here to do that.

Q. Can you tell us what proportion of lobsters are under the 8 inch limit?—A. I could not begin to tell you that.

Q. Is there any considerable quantity?—A. I guess there is.

Q. If the 8 inch limit were strictly enforced do you think it would put the fisherman out of business?—A. It would, I believe.

Q. And the canner too, I suppose?—A. Yes, the canner too.

Q. That is what the canners tell us, that if we enforce the size limit they will have to give up canning.—A. Yes, but I think you had better get that information from the canners. I worked two years in the first shop that was ever built here and then I took to lobster fishing.

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Q. Can you give me any idea what the proportion of seed lobsters is to every hundred caught?—A. I could not say that, I never kept any account of what I caught, but out of a hundred pounds, or say out of every 20 or 30 counters you would get from seven to five, and some days you would only get two or three, but I never took any account of it and could not say definitely. I have thrown them away for these 10 years, I guess.

Q. What proportion of the lobsters you catch here are market lobsters?—A. Not more than one-third, about 30 out of every 100, I think.

Q. How many lobsters do you run here to the hundred pounds?—A. I did know, but I do not just know now.

Q. I suppose that the amount of gear now being fished is very much greater than when you began?—A. Yes, I would like to see it so decided that every boat should not have more than 125 traps, there are too many traps now for the fish.

Q. Is not that about the average?—A. Oh, there are boats that have 175 to 200 traps.

Q. Can they fish that number thoroughly?—A. Well, what they do not haul to-day they do to-morrow and it is ruining our water. I think that if the law provided that every boat should have just so many traps it would be better.

Q. Various suggestions have been made to the department as to a remedy for the present condition of the lobster industry; what would you suggest. The berried lobster, of course, should be protected?—A. Yes.

Q. How do you think that can best be done, by putting her back in the water?—A. Yes.

Q. Is that very generally done, do you think?—A. It is this last couple of years among the big majority of fishermen here, but still there are some men who do not do it, and that will, I suppose, always be the case.

Q. On the other hand there are a great many small lobsters brought in, should we not protect the small lobster also? Do you think that doing away with the size limit altogether, because it never has been enforced and is very difficult to enforce, would be for the benefit of the fishery?—A. I think we ought to take them down to 7 inches.

Q. Could we enforce that limit any more than we have been able to enforce the 8-inch limit?—A. Well, to my mind you would, because every man would pitch them over, below 7 inches they are not a bit of good to the packer.

Q. Another way of regulating that has been suggested, by making the opening between the slats in the trap of sufficient size to allow the lobsters below 6 inches to get out?—A. Yes, 1 or 1½-inch, or something like that.

Q. You say you think it should be 1½-inch, these are things we would like to know, we want to find out what space should be allowed?—A. Yes, I firmly believe the space should be 1½-inch.

Q. That is not a very large opening?—A. No, it is not. You could go 1½th inch anyway.

Q. We have seen traps in which the space is down to half an inch. Now, why have they been placed at half an inch unless it is to take the small lobster?—A. That takes everything.

Q. There are some places where they are canning 12 to 15 lobsters to the pound can, by actual count it takes nine 7-inch lobsters to the pound can.—A. Yes, that is not right to take them so small.

Q. There have been a great many suggestions made to the department, and perhaps everybody has a remedy of his own. Some people say, shut down altogether and let the lobsters recuperate for four or five years?—A. I think if the factories were allowed to work from the middle of April to the last of June that is as good as we could have.

Q. That is your season now?—A. From the first of April, but the middle of April is plenty of time to open, because the fishermen can only begin profitably at

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the middle of April. Another thing the western shore ought to be different, as they fish right from the first of January, and when we start in the spring they have the American market filled, and that closes us down with our fish.

Q. What would you do with them?—A. Well, I think that their season should be shortened by the month of May anyway, so that they would give us a little chance. Cut May off their season.

Q. At present they fish up to the end of May?—A. To the first of June.

Q. And you fish to the 30th of June?—A. Yes, but it closes us right off because our lobsters are coming in from the eastern shore, and they are fishing all the month of May, too, and their lobsters glut the market.

Q. And the price falls, I suppose?—A. Yes, the price falls.

Q. As to the market lobster business, which is the more profitable branch for the fisherman, the market or the cannery?—A. I think that for the fisherman the market business is the best, but, of course, I suppose if every one were shipping in the price would be cut down very low. There are a lot of fishermen talking about wanting fall fishing, but I think it would ruin our fishery altogether. On the eastern shore the storms are heavy in the fall and the fishermen would lose all their gear except just a few who fish inside, but everybody cannot get there.

Q. Of course, on the coast generally fall fishing is not asked for?—A. No, you could not do it at all. Another thing is on the eastern shore every man who could get a chance would go north in the spring if the fishing season were the same as it is here now, he would fish there, and then come back and fish here in the fall.

Q. And during the fall you have the mackerel, cod, herring and other things to go to—A. Yes.

Q. And I suppose the lobster fishing is the fishing you look to in the spring?—A. Yes.

Q. Another proposition that has been made is to do away with the size limit altogether and give a space of $1\frac{1}{2}$ inch between the slats of all traps made after a certain date, to protect the berried lobster thoroughly and absolutely, and close down the season ten days earlier, or a fortnight?—A. Yes, that would be, fish until the 20th of June.

Q. Yes, until the 20th of June?—A. I would not mind, for I would do as well.

Q. Those who propose that say it is during the last days of June the most harm is done by the capture of the small and the berried lobster, it is during that period the destruction of those fish is greater?—A. Yes, that is so.

Q. And at that time there are other fisheries open to which our fishermen could go, is that the case?—A. I think that is pretty near right.

Q. What do you think of this other proposition which has been made, to ask every lobster fisherman in the spring to take out a license, for which he need not be charged anything, on which the regulations would be printed, the license would be numbered, and he would have to sign a declaration, and swear that he would observe them?—A. That he will destroy no berried lobsters?

Q. That he will destroy no berried lobsters, and that he will live up to the regulations, whatever they may be, strictly, the idea being that any man doing that will take care his neighbours do the same?—A. Well, I think that is all right, that is my idea.

Q. If anyone were found to be violating those regulations persistently his license would be cancelled and he would not be allowed to catch lobsters at all?—A. I think that is all right.

Q. You do not think there is anything wrong in that?—A. No, I do not; of course there may be lobsters long enough after I am gone, but there is always somebody coming afterwards who will want them, that is what I have been telling them, they do not think of their children who are to come after them.

Witness discharged.

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WALTER MITCHELL, fisherman, Liscombe, called:—

By the Commissioner:

Q. Do you fish lobsters?—A. I do, yes, but I am not particular myself what time in the year they fish.

Q. What time do they begin to fish here?—A. I would rather all the boats—I think they begin too early in the spring—would begin in the middle of April instead of the first, that is all I have to say about it.

Q. Why do you object to the first of April, what is the reason?—A. It is so cold and you cannot do very much, it is cold and stormy and you waste a lot of bait.

Q. But you do not need to begin on the first of April if you do not like?—A. No. but if one fellow begins that makes them all go.

Q. That is a matter that rests, I should say, with the fisherman himself. If he does not like to begin on the first of April he need not begin until the 15th.—A. If the law said on the 15th he could not begin earlier, but the way it runs now you see, the first man goes out as soon after the 1st of April as he can and all the others follow him.

Q. You were telling us your views about it, what do you think is the best way of protecting the lobster fishery and bringing things back to their former condition, what is your suggestion as to a remedy?—A. I do not know, I can't see much chance for them as long as there are so many fishing right along, they have to run down, it is a wonder that there are any at all.

Q. How are they compared with your early recollection?—A. Oh there is nothing in it.

Q. Of course there are a great many more people fishing?—A. Yes, that makes a difference, but still there are not the lobsters you know, why, a few fishermen used to catch more lobsters than twice as many do now, you can tell by what is brought to the factory.

Q. How do they compare in size?—A. They are not too bad in size.

Q. What is the practice with regard to the berried lobster? Has she been protected and preserved or is she being destroyed?—A. Oh well, I can tell you nothing about it, the only thing I know about it is I do not take any, I heave them away and that is as far as I can go, I do not know what the rest do at all. That is what is destroying the fishery, the taking of the seed lobsters.

Q. Do you think there is a greater disposition to save her now than there used to be?—A. I think there are a good many that do not take any now, but at first they did not make any difference, they took them all as they came.

Q. Did they bring them in as they were or did they brush the eggs off them?—A. At first they used to take them eggs and all, that is a good while ago, I could not say what they do now, I am sure, but I can remember when Robinson ran the factory here he only had eight boats running, and the factory was piled up with lobsters, but they are getting scarcer every year and it isn't any wonder at all.

Q. Do you think that if more canneries were licensed it would mean any more lobster fishing?—A. No.

Q. There are no more people left to fish and there is no more ground to cover?—A. No, the ground is all covered now.

Q. Are people going further off now than they used to? Do they fish in deeper water?—A. They go as far off as they can now.

Q. Do you think there is anything in the proposition that there should be a standard trap, that is, that there should be a regulation distance between the slats of 1 inch, $1\frac{1}{4}$ or $1\frac{1}{2}$ inch?—A. Yes.

Q. Do you think that would permit a fair proportion of the small fish to escape?—A. It might do that.

Q. The proposition is that the size limit should be done away with; it has never been enforced, and they say it is very difficult to enforce it, and that the best way to

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provide a size limit is by fixing a standard distance between the slats, the lower slats especially, and in that way allow a fair proportion of the small lobsters to escape?—A. Yes, sir.

Q. From your experience as a lobster fisherman, what would you think of that?—A. I do not know, I am sure; but I suppose it would do that.

Q. Some fishermen say that it does not make any difference, that the lobsters do not try to escape out of the trap?—A. Sometimes they do not; they come up no doubt into the boat. I know that many a time I have had to pick them out, because they were too small for anything. They stay around the bait. I do not know that that will be a great deal of good; people have a lot of traps on hand now, and they would have to make new ones.

Q. The present traps would soon be used up. The average life of a trap, as I understand it, is about three years. Of course, if a regulation of that kind were adopted, it would say that from this day forward all traps must be made with a certain space between the slats. That would not seem unreasonable?—A. No.

Q. Have you always fished in this locality?—A. Yes.

Q. You have never been away from here?—A. No.

Q. When did you begin fishing?—A. 25 or 30 years ago. We used to catch a good many of lobsters then, although we did not get anything for them.

Q. What did you get, 50 cents a hundredweight?—A. No, 35 cents, and we had to find our own boats, and we could not make anything at it, although they were very plentiful then in around the shores and everywhere. That is why I have objections to beginning so early in the spring. Of course, there are a good many years that we would not get out before the middle of the month anyway, but if it were fixed at that date it would give us more chance to get our gear ready. Of course, I am only one.

Q. Do you fish in deep water now?—A. No, I am getting past that; I am an old man now, and I fish inside. I catch a few round about the inside, but it is very cold on the 1st of April.

Witness discharged.

SIMEON BAKER, fisherman, Little Liscombe, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. 18 years perhaps.

Q. Always out of this port?—A. Yes, I fished one year in Cape Breton.

Q. What part of Cape Breton?—A. Fourchu.

Q. Were you ever there in the time of Mr. Baker's pound?—R. No, there was considerable talk of it then, but he had no pound there at that time; he fished there and had his factory there.

Q. You own, of course, your own boat and gear?—A. Yes.

Q. Do you fish a single-handed boat or double?—A. A double. I have a man with me; my boy is with me now.

Q. What number of traps do you fish now?—A. On the average 140 to 150; sometimes a little more, and one time, when I had a man with me, 200.

Q. You use all parlour traps now?—A. Yes.

Q. And you begin fishing at what time?—A. I generally start on the 1st of April; some years I have not started at that time, but mostly on the 1st of April.

Q. You begin in what depth of water?—A. In 12 and 14 fathoms, that is about the depth.

Q. What sort of bottom do you prefer?—A. For fishing on?

Q. Yes?—A. Where we fish I think it is a rocky bottom.

Q. Rocky reefs?—A. Yes.

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Q. Is the bottom out there uneven?—A. In one place it is very uneven.

Q. You like broken ground for lobsters, not too flat or muddy or sandy, you avoid that?—A. Yes, we do not want any mud at any time.

Q. How long do you fish on that ground? Some men tell us they fish all the season through in the deep water and others move in?—A. As the season goes on we begin to shift some of our traps out of there, but we leave some of there all season.

Q. You fish in deep water all the summer?—A. Yes, we leave some of them in 9 or 10 fathoms of water, but along about the middle of May we shift into shoal water.

Q. Into what depth of water?—A. Sometimes 2 or 3 fathoms in June.

Q. What is the best season of your fishery?—A. May is the best month.

Q. You do better in May than at any other time?—A. Yes.

Q. Do you get the same class of fish late in the season and in shoal water as you do in the deeper water? Will the fish run as large or will they average as well?—A. Well, there is a time in May out in the deep water we hardly ever, it is a very rare time we catch large lobsters, there is a certain school of small lobsters, and there are some larger lobsters in shore. In a certain time of the year, the last of May and June out in the deep water you will get a very small class of lobsters.

Q. What proportion of the catch throughout the whole season will be small, that is undersized lobsters, under the 8 inch limit?—A. I could not say that, I could not give you any idea about that.

Q. Is there a considerable proportion? You know that a great many canners and a great many fishermen have said that if you strictly enforce the 8-inch limit it will put them out of business, that the proportion is so large it would not be worth while to fish if they did not catch them?—A. I guess that is about right, in one way if you strictly forbid that the canners and fishermen would find it hard at some times of the season.

Q. There is a regulation that has been on the statute book for a number of years and yet it has never been enforced, and it has been suggested that if it cannot be enforced it had better be removed altogether. It would be a difficult thing to enforce it, would it not? To have a strict enforcement of any definite size limit?—A. Yes, it would.

Q. What proportion of the total catch will be egg-bearing lobsters? What do they run to? You see the idea is to find out if possible whether it is such a serious matter; some fishermen say, 'If you take away the egg-bearing lobster from me so that I cannot sell her you will cripple my catch, and if I put her back in the water and the next man does not I will lose so much money.'—A. Do you find many men on this shore tell you that?

Q. A good many say, 'Why shouldn't I take that lobster if the next man will take her and strip her?'—A. I cannot say that.

Q. What has been the practice with regard to her in the past?—A. There are sometimes in the season when we catch a good many egg lobsters and other times very few.

Q. At what time in the season would you expect to catch most?—A. Along in June.

Q. Towards the end of June or in the beginning?—A. In the beginning and towards the end, more in June than in any other month.

Q. At what time do you think the female lobster spawns?—A. I think in July.

Q. Do you think she comes in shore to spawn?—A. Yes, I think so because I have proved she does.

Q. Do you think there is any better disposition on the part of the fishermen, as a whole, to-day, to protect her and put her back in the water than there used to be?—A. Oh yes.

Q. Do you think that the fishermen are beginning to discuss the matter among themselves and to realize that if they destroy her they are destroying everything?—

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A. They find that now, for a good many years back in this place they have found it a benefit to them to put the berried lobster back in the water again.

Q. That is the best thing to do with her.—A. I generally let her go inside.

Q. You liberate her inside?—A. Yes, so that I will not be catching her again tomorrow and will not be bothered with her again, I most generally do that.

Q. Are you not afraid, in doing that, those who fish in shoal water are going to catch her?—A. Well, I am running a great risk possibly but I generally bring her inside.

Q. One way out of the difficulty they tell us is that we should establish pounds, so that when the seed lobster is brought in she can be kept in the pound and liberated when the season is over.—A. I say liberate her outside where she is taken.

Q. In the hatchery we strip the eggs off the fish and hatch them out and the female fish goes into the pot along with the rest. But in the pounds the female lobster is preserved and at the end of the season is liberated so that there is a chance of her spawning another year.—A. I would not think they would live, one half of them, when the eggs are stripped off.

Q. They do not need to live when the eggs are put into the hatchery, then they go into the pack. You see when the fisherman brings the seed lobster to the factory the eggs are all stripped off her and sent to the hatchery where they are hatched, but the fish itself is boiled along with the rest. It is a question whether she will live anyway if you strip the eggs off her.—A. I really could not tell you, but do you think the seed will live if it is taken off.

Q. If it is not taken off too roughly I think it does, because we have seen them hatch out in the hatchery.—A. Then that is all right.

Q. But it must be carefully done. Various propositions have been made to the department, and among others it has been proposed that we should shut down the lobster fishery altogether for four or five years, they say the fishermen will find something else to do in the meantime, how would that appeal to you?—A. Well, we are so used to this lobster fishery, I am not only speaking for myself now but for 10 or 20 other fishermen, when I say that it would be very awkward if we knocked off the lobster fishing in the season we have.

Q. How many pounds does a good lobster fisherman catch, one year with another?—A. It just depends on the season.

Q. Of course the season varies, but on the whole what is the best catch you ever made in your season? How many thousand pounds?—A. I think the best, certainly it has been a few years since I had the best, was about 7,000 pounds.

Q. That includes market lobsters and everything else?—A. Yes.

Q. What branch of the fishery is the most profitable one for the fisherman, do you think? Fishing for the market or selling for canning purposes?—A. Which is the most profitable for the fisherman?

Q. Yes, for the market you require lobsters about 9 inches, what is the rule here?—A. You cannot sell any for market lobsters here under 10½.

Q. How is that, because the Boston market now takes them down to 9 inches, and in some places the man who expresses them is taking the 9-inch for the market lobster?—A. If you can ship the 9-inch lobsters it is to the interests of the fishermen to ship them, there is more money in them for shipping than there is to can them.

Q. What proportion of your catch would be market?—A. I could not give you any decided answer to that question, certainly where we fish we get all good-sized lobsters.

Q. Are there one-half of them?—A. Yes, there will be a half of them, rather more than one half; down to 9 inches there will be more than one half of the catch.

Q. You see the object of finding that out is that it will become a question very soon if the sale of the market lobster increases, and the facilities for getting them

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to the markets are improved, whether in framing the regulations it would not be better to so frame them as to favour catching the market lobster and shut off the canner.—A. What is the idea they have in view? Wipe out the canner altogether and just have the market trade.

Q. If it is the case that the market fishery is a growing one, that it is increasing and that it will increase as the facilities are improved, and as markets are found for them, there is no fear of destroying the lobster as long as you are fishing for the market, because you are taking no seed lobsters, you cannot ship a berried lobster, they will not stand shipping to the market?—A. No, they will not.

Q. And if they are stripped they will surely die, so that a man who is buying for the market will be very careful not to take any berried or stripped lobsters, and in that case, if all the lobsters of legal size are shipped the only ones that would be canned are the small ones that will not be taken, so that the live lobster industry will be better for the fishermen because it will protect the small lobsters and give them a chance to grow until they become market lobsters. Further west on the coast of Nova Scotia that question is up now as to whether the market fishery could not be protected at the cost of canning?—A. Yes, they want a similar law to the one they have in the United States.

Q. Now there is no canning at all there?—A. No, and they fish all the year around.

Q. And you may fish all the year round safely enough if you are only taking market lobsters?—A. Yes.

Q. Of course climatic conditions over a great part of our coast would prevent our doing it, in the Gulf of St. Lawrence and in Cape Breton they could not, and I suppose you could not here?—A. No, there are times we could not fish here.

Q. What do you think of the proposal, to which I have referred of licensing the fishermen, that is another idea that has been advanced by some people, that the lobster fishermen should be required to take out a license? What do you think of that proposal?—A. That a man should pay for a license to fish in the water?

Q. No, not necessarily, but that he will have to subscribe to the conditions and that a man who violated the law would not be allowed to fish.—A. That is a good way to get at the business, I suppose, and to stop people breaking the law; I think it is a very good idea to get at them.

Q. Do you think that it will make any difference, that the fisherman who has a license in his pocket will be more apt to be careful himself and to see that others obey the law?—A. It would be some check on him, I suppose, if he had a license in his pocket.

Q. I have always had doubts myself as to whether it would make any difference, but a great many people say they think it would?—A. It would have some influence with some fishermen, I suppose.

Q. It would be like a great many other things probably, it may be lived up to for a certain period then fall into disuse?—A. That is the way it is with the present law.

Q. Some say, 'Shut down for a number of years altogether' and the last lobster Commission suggested closing down by sections, which many fishermen say would be almost as bad, and other again say, 'Give us a 7-inch limit and we will live up to that.' But they said the same thing when we had a 9-inch limit, and they asked to have it made 8 inches. Now they have had it at 8 inches for a number of years but they have not observed it, and they say, 'Make it 7 inches and we will surely live up to it.' The question is, if they get a 7-inch limit will they live up to it any better than they have to the 8-inch? Another proposition is to do away with the size limit altogether and establish a standard trap, that is to say, a trap with a certain specified opening between the slats, supposing we say 1 inch or $1\frac{1}{8}$ inch and protect the seed lobster thoroughly?—A. Yes.

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Q. And then shorten the season by 10 days or a fortnight?—A. That is cut 10 days or a fortnight off the present regulations?

Q. That is the proposition, it is claimed that it is during the last few days of the season the most serious damage is done in connection with the capture of the small and seed lobsters?—A. Yes, I believe that is the case.

Q. And they say that during those last ten days or fortnight there are other fisheries that the fishermen can apply themselves to?—A. Yes.

Q. And that even by the enforcement of such a regulation to protect the berried lobster and to regulate the space between the slats, together with the shortening of the season, we would do a great deal to improve the fishery?—A. Yes, I think that myself.

Q. Of course the easiest of all regulations to enforce is the one affecting the date at which the season shall close, although there has been a great deal of illegal fishing after the close of the season and canning has gone on no doubt during the close season?—A. In years gone by that has been the case, but I do not think, as far as I know to the eastward of here anything of that kind goes on now.

Q. What do you think of shortening the season, do you think that the size limit and regulating the trap would make much difference?—A. No, I do not.

Q. What is the ordinary space left here between the slats?—I think about $1\frac{1}{4}$ and $1\frac{1}{2}$ inch.

Q. If you have anything like $1\frac{1}{2}$ or $1\frac{1}{4}$ inch space between the slats you have as large a space as is necessary, and a good many small lobsters must escape?—A. I know a good many years ago men were speaking about this thing, and we measured our traps and most of them varied from $1\frac{1}{8}$ to $1\frac{1}{4}$ -inch. I have not measured them since.

Q. That is a fair space, but in a good many places where they catch small lobsters and berried lobsters they have it down to half an inch, and wherever they have brought it down to that it must have been with the idea of catching the small lobsters, that is the only reason?—A. Yes, no doubt.

Q. Have you anything else you would like to say, is there anything I have not covered, if so I will be glad to have it taken down?—A. I do not know whether I have answered the questions to suit you.

Q. I do not want you to answer them to suit me, what I want is to get your opinion, every man has his own ideas, and it is out of the majority of the ideas that the committee will have to decide?—A. Yes, close down the last two weeks in June, I think that is the time when the damage is done.

Q. What do you think with regard to the opening of the season, do you think it makes any difference? Some people say they prefer to have a date fixed for the opening; I do not see myself why we might not just as well say the first of January as the first of April, and let every man begin when he finds that he can do so conveniently. Some people say that the fisherman will go out and maybe some men who are ambitious to get a certain position on the ground are afraid some one will get ahead of them, and that the man who goes out and sets his gear too early will lose it, and that I think is his own affair, not ours?—A. That is right too.

Q. The principal objectors to opening the season too early would be the canners, because all the fishermen would not go out early; and in a good many places the fisherman is using the canner's gear and when he is doing as they say he is not as careful about it as if it were his own?—A. That is natural, I suppose. But about the season, if you shut off the season about 15 days or the last week in June, and start on the first of April, I would not like to see it start on the first of January.

Q. If it opened on the first of January it would not mean that you had to fish then, but that you would start when you felt ready?—A. Yes.

Witness discharged.

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CHARLES MORRIS, fisherman, West Liscombe, called and sworn:—

By the Commissioner:

Q. How long have you been fishing lobsters?—A. Since I have been 14 years of age.

Q. And you are 54 now.—A. I am 30.

Q. That is 16 years?—A. About that.

Q. How does the fishery compare today with what it was when you began?—A. Oh well, the lobsters are not as plentiful as they were then.

Q. Is that because they have got scarce, or is it because a great many more people are fishing for lobsters?—A. In those times there were not nearly as many fishing, certainly and the lobsters today may be just as plentiful as they were then.

Q. There are a great many more boats and a great deal more gear in the water?—A. Yes.

Q. How do they run, is there as large a proportion of good lobsters?—A. I think they are as large as when I first commenced, as far as I can remember.

Q. What time of the year do you begin fishing?—A. The first of April.

Q. Can you generally get out then, is there anything to prevent you getting out then?—A. There is the running ice.

Q. That does not do you much harm?—A. No, the trouble is more with their boats.

Q. But you do not lose your traps by it?—A. No.

Q. In what depth of water do you begin fishing?—A. 12 to 15 fathoms.

Q. What number of traps do you fish?—A. 100 to 110.

Q. Do you fish them yourself?—A. Yes.

Q. You own your own boat and gear?—A. Yes.

Q. What is the best sized catch you ever made, how many thousand pounds?—A. In the summer?

Q. Yes?—A. I hardly know, I had something like 6,000 pounds I think.

Q. That included market lobsters?—A. No, that is weight for the canner, and about a thousand big ones or a little better.

Q. That is a thousand over 10½ inches?—A. Yes, market lobsters.

Q. What do you receive for the big ones, what are you paid for them?—A. This year we only got 8 cents at first, and then we got 10 cents, I think. Last year we got 12 and 14.

Q. How about the price paid for canning lobsters?—A. We got \$2.50 at first per hundred pounds, and last year we got an average of \$4.00 and \$4.50.

Q. This year you got less than that, to what do you attribute that fall in price?—A. I do not know.

Q. Were you satisfied?—A. With this price this year?

Q. Yes?—A. Oh no, not satisfied, but you have to be when you could not get any more.

Q. You begin fishing out in deep water, do you fish in the same depth of water all the season?—A. No.

Q. What do you do?—A. We fish out there until the middle of May, and then you have to shift to the shore.

Q. Do you get as good a run of fish when fishing inshore as you do offshore when you began?—A. You do outside the shoals, but after you move in to the mainland you do not get as good, no.

Q. Will you get more berried lobsters late in the season, when fishing in shoal water, than when fishing off the shore?—A. I think you will.

Q. And you get smaller fish?—A. Yes, in June you get small lobsters, sure.

Q. Do you think that the space between the slats makes any difference? If you make the space very narrow down to half an inch, as it is in some places, will it hold an unfair proportion of small lobsters? We want to provide some means of saving the

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very small lobsters instead of having them canned.—A. Oh well, what lobsters would go out through a half inch hole you could not knit a mesh close enough together to save them; we knit the mesh for our heads $2\frac{3}{4}$ inches, and any lobster that will go out through the laths, the way we have them, would go out through the heads,

Q. What size lobster do you think escapes out of your trap?—A. I could not just exactly say as to that, but it is a pretty large lobster that cannot go out through a $2\frac{1}{2}$ inch mesh.

Q. Would an 8 inch lobster go through?—A. No.

Q. Would a 7 or a 6 inch lobster go?—A. No, I do not think a 7 inch would go out through it, still there are lobsters smaller than that, 4 inches and 5 inches, they would go out, I have seen them going out.

Q. You know in some places they can those lobsters?—A. I know they do.

Q. Do they can them here?—A. I do not know if they can small lobsters here, I suppose they are the same as any other place.

Q. Do you expect the canners to take whatever you bring to the factory?—A. Oh, yes, or else we could not live.

Q. Is it the case that if that 8 inch limit were strictly enforced it would bar you out?—A. It would be pretty hard on the fishermen, that is true.

Q. And it would be hard on the canner, of course what is hard on one would be hard on another.—A. It might be, but only for a few years, I would not say, it might last a couple of years.

Q. If it were enforced?—A. Yes.

Q. But do you think it wise to enforce it?—A. For my part I would not say.

Q. What is your opinion, put it in your own words, something must be done to protect the fishery, it is failing, is it not?—A. Oh yes it is.

Q. What is your idea as to the best thing to do to protect and preserve it? You will have children some day I hope and you would like to leave some lobsters in the water for them; the way it is going there is very little doubt the lobster will be exterminated and what we want is to get information from the fishermen generally in order to submit it to the Committee of Parliament and the department as to what regulations might be made for the protection of the fishery. You must have talked over this matter?—A. I do not know what you could do unless you cut the small lobsters off altogether, that is if you are going to protect them.

Q. And what about the berried lobster?—A. We heave them away already.

Q. But is that the case always, do you think.—A. If you take the seed lobster how long do you suppose it will be before there are none left?

Q. My experience, I have been connected with the matter now for 33 years, is that the seed lobster has not always been protected?—A. No, I do not say that it is, and all might not throw her away, yet I would not say as to that, but the fishermen, as far as I know, around here, all heave them overboard.

Q. They do not wash them or strip them?—A. No, a man that is doing that is only ruining himself.

Q. But still they do that, that is done in some places.—A. I know, on the north shore, I have fished a great many years and we have always saved the spawn lobster at Cariboo Island.

Q. You will know something about the hatchery then, if you have fished at Cariboo, what is your opinion of the hatchery?—A. I think it is a good thing.

Q. You think it is one way of protecting the lobster?—A. I think that is what keeps the lobsters up on the north shore as well as they are.

Q. Have you any experience of pounds? That is another way of protecting the berried lobster, that the fisherman, instead of putting her back in the water, brings her in and is paid for her and she is held there in the water until the open season is over.—A. I never saw one of them, we always saved the spawn on the north shore, that is all I have had to do with it.

Q. But here your practice is to put her back in the water?—A. Yes.

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Q. What proportion of berried lobsters do you get out of 100?—A. Out of a hundred we would some days get 5 or 6 or 8, some days more and some days not that many.

Q. The general experience is that the percentage of berried lobsters is not more than 3, 4 or 5, that is from the beginning of the season to the end?—A. Yes.

Q. There are more at certain parts of the season but less at other parts?—A. Yes.

Q. Now there have been a good many propositions made to the department about protecting the lobster. Some people say shut down the fishery altogether, and there is no doubt that would be the easiest way of doing it?—A. It would, yes.

Q. They say shut down for four or five or six years, but that would be pretty hard on the fishermen, would it not?—A. Yes, it would.

Q. What appears to be the most reasonable of all propositions is that we should do away with the size limit altogether, that we should provide a regulation trap, insist on a certain space between the slats that would let the really small lobster out, say 1 inch, $1\frac{1}{4}$ or $1\frac{1}{2}$ inch, certainly nothing less than 1 inch, and also provide for a certain size mesh at the end of the trap, and that the berried lobster should be strictly preserved either by means of pounds or hatcheries, or putting her back in the water, and in exchange for having done away with the size limit, that we should cut the season off towards the end of June by 10 or 14 days, because it is unquestionably the case that it is during those last days of the season the largest proportion of small or berried lobsters are captured. At the close of the season, towards the end of June, there are other fisheries that the fishermen could direct their attention to, that their time would not be entirely lost?—A. That is right, yes.

Q. How would that appeal to you? The fishermen must expect to give up something in return for the abolition of the size limit.—A. It is just this way, if the traps we have now are not lost to us.

Q. All right, supposing we say that all the traps after this day must be made of a certain pattern, we reckon that the life of a trap is about three years.—A. Yes, but some of them do not last three weeks if a storm comes.

Q. Yes, but some of them will stand 5 years. In many places where they fish in stormy weather they lose more traps than you do?—A. Yes, I know that.

Q. Do you think that is the least hurtful to the fishermen and that it will give a fair show to the lobster? Of course the idea in proposing any of these regulations is that it may be hard for a year or two, that it may reduce the catch of the fishermen for a year or two?—A. I would sooner they would do that, if it has to be anything like that I would rather see them take off the end of June than close it down altogether and ruin the fisherman.

Q. Some people propose that everyone who fishes lobsters should take out a license, for which he would not pay anything, but the regulations would be printed on the license, each fisherman would have his number, and he would have to sign a form in the book by which he agrees to live up to the regulations, and if he does not do that he would not be allowed to fish lobsters any more, do you think that would be all right?—A. That I think would be all right.

Witness discharged.

JAMES HEMLOW, jr., packer, Liscombe, called and sworn:—

By the Commissioner:

Q. Have you been engaged in packing for a number of years?—A. About 25 years.

Q. Are you directly interested in your license here?—A. Not at the present time; I have the factory leased to the Burnham & Morrill Company.

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Q. You did run it at one time?—A. Yes.

Q. You own the factory and lease it to them?—A. Yes.

Q. How long have they been packing?—A. Twelve or thirteen years, and I have been managing it for them.

Q. What is your average pack per annum?—A. I would say about 800 cases.

Q. You did not pack that much this year?—A. I only packed 462 this year, last year I packed 964 and the year before somewhere about 800 cases.

Q. The last two years previous to this were pretty good on your coast?—A. This year was the smallest quantity we ever packed as far as I know.

Q. What was the trouble this year?—A. Partly on account of the scarcity of lobsters; we did not get as many fishermen, and our competitors got more lobsters than we did, but the lobsters were not good.

Q. You were not very anxious?—A. No, our foreman was not very anxious for lobsters, and the price was not good for the men, and our men did not put out any effort, but the others put out more effort.

Q. You usually begin to pack, about what season here?—A. The 1st of April. Well, we begin usually to can about the 10th or 15th.

Q. What time of the season are you busiest?—A. From about the 20th of April to the 20th of May.

Q. Could you give us any idea how the lobsters run, how many lobsters do you count here to a hundred pounds?—A. 100 count of lobsters here will make 125 pounds.

Q. 100 lobsters here will run to 125 pounds?—A. To 125 pounds, yes.

Q. That is a good average sized lobster?—A. Yes.

Q. Would it be the case here on this part of the coast that a strict enforcement of the 8-inch limit would put the packer out of business?—A. Well, I am afraid it would under the present conditions; the fishermen have never shipped their own lobsters here, and we always used to pack, and we did this year, the 9-inch lobsters, but they are getting now that they are beginning to ship the 9-inch ones, and there would not be enough left after that for the canner.

Q. You purchase the market lobsters from the fishermen?—A. Yes.

Q. You take the 10½-inch as market lobsters?—A. Yes.

Q. The Boston market takes the 9-inch lobsters now?—A. Yes.

Q. How many boats fish generally for this cannery when everything is working well?—A. 55.

Q. The boats are entirely owned here by the fishermen?—A. Yes.

Q. And these men who fish for you are regular deep-sea fishermen?—A. Three-fourths of them are.

Q. There are some who are not?—A. There are a few who fish around in the harbour and do not go outside, but three-fourths of them are deep-sea fishermen.

Q. As to the catch made by these people who fish around in the harbours and the shoal water, do you notice a distinct difference in the fish they catch from those caught by the deep-sea fishermen?—A. Very much, they are quite different.

Q. There is a larger proportion of small lobsters?—A. Yes.

Q. And would you say there are more egg lobsters?—A. I do not think there are.

Q. Of course, they do not bring them in?—A. No, they do not bring them to the packer at all.

Q. Do you think that the practice of putting them back in the water is fairly well followed here?—A. Yes, it is fairly well followed here.

Q. Of recent years?—A. Of recent years only; that used not to be done at all.

Q. Is there any stripping of the fish?—A. Yes, a few men do it.

Q. There is no illegal fishing in the close season?—A. Not for seven or eight years.

Q. No packing surreptitiously?—A. It used to be bad enough here, but there is none now; there is no illegal packing here I would say for the last six years anyway, but I would not go beyond that.

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Q. Is the export of fish alive for the market getting to be a considerable factor in the business here?—A. Yes, very much so.

Q. And is it increasing?—A. Very much so.

Q. How is it, have the facilities for exporting those lobsters alive increased?—A. Yes.

Q. How do you do with what you do export, how are they sent?—A. Burnham & Morrill have a boat of their own, and they collect them from all their factories.

Q. She runs along the coast?—A. Yes, collects them from the cannery and brings them to Halifax, and from there they are shipped by the Boston boat.

Q. Are they recrated at Halifax?—A. No, they are held there at the dock until the boat is ready to go.

Q. The boat runs up to the dock?—A. Certainly.

Q. Is the percentage of loss very great?—A. Very great.

Q. That is the thing that cripples the business?—A. That is it.

Q. Is the loss greater in the very warm weather?—A. Oh, truly so.

Q. How do they run, have you any record here of the amount how many lobsters does it take to fill a pound tin with you?—A. I could tell you the pounds but not the year, well I would say of our lobsters, it takes five pounds of green lobsters.

Q. That is to fill a pound tin?—A. Yes, we came a little under the average last year, we have sent in a report to the firm just exactly what it takes, and I think last year's statement was four and seven-eighths pounds, but we call five pounds a good average; they put about one ounce of sauce in the pound can which flavours your meat.

Q. Is that an ounce of special sauce or water?—A. Clean salt water.

Q. Now, as to the question of season here, I suppose you are all of the opinion that the condition of the lobster fishery is that it is failing, do you think it is?—A. Oh, I think it is failing.

Q. Has the failure been, within your notice, steady and regular? Of course you have good years and bad years?—A. Up to 1908, before that we considered it was falling off very badly and we were surprised in 1908, but in that year we had the lobsters more plentiful than I have seen them for 10 years, and we continued right up to the end of the season; we packed a great many besides what we shipped, and we shipped 200 or 300 crates that year.

Q. What weight do you put in a crate?—A. We put 100 lobsters in a crate and they average about $1\frac{3}{4}$ pounds.

Q. Now, as to the matter of the best regulation to adopt with a view to conserving the fishery, of course a whole lot of suggestions were made to the committee last year and the department at various times have received a number of suggestions, one, which is the most drastic and thorough I have no doubt, is to shut down for four or five years universally?—A. I have heard of that, but I would not think that would be a very good remedy.

Q. It would mean hard times for the fishermen and a great deterioration of material, and waste and loss of capital invested in the industry at the present, and in the fishermen's gear and boats which are not suitable for anything else, and the traps would be destroyed which would be very serious apart from the loss of wages?—A. That is too severe and involves too much loss.

Q. Do you think that the lobster industry has reached the condition which renders that necessary?—A. No, I think not.

Q. The Lobster Commission of 1898 recommended shutting down by sections for a year or two, taking the coast by sections until the whole of it has been covered?—A. I do not think very much of that proposition.

Q. Other people say fix the limit at 7 inches?—A. Yes.

Q. And enforce that limit?—A. Yes.

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Q. And they say that is all that it would be necessary to do. Then others again say do away with the size limit, it has never been enforced and it is very difficult to enforce it?—A. Yes, it never was enforced.

Q. And protect the berried lobster religiously?—A. Yes, that is it.

Q. Either by putting her back in the water or by means of hatcheries or pounds?—A. Yes.

Q. And also provide a standard opening in the trap, that is to have the traps made, after a certain date, with a specified space between the slats. There seems to be a difference of opinion among the fishermen as to whether the opening in the trap means anything or not, but a good many fishermen say it does, and if we only had some reasonable space as it should be the small lobsters could get out; in places where the fishery has run down completely we know that they are narrowing down the space all the time, and that can only be with the idea of holding the small lobsters?—A. There is no doubt about it.

Q. The space originally was one and a half inches?—A. Yes.

Q. That has been narrowed down until now you will find very few with an inch opening, and there must have been some reason for doing that?—A. Yes.

Q. That is to say, do away with the size limit, protect the berried lobster, insist on standard traps, you could not have the existing traps altered, perhaps, but for all traps made after a certain date, and shorten the season for 10 days or a couple of weeks at the end?—A. That is the only thing I can see, the seed lobsters want to be protected, there wants to be a very heavy fine put on the packer that will take them so that they would not dare to trifle with it. If there is a heavy fine on the packer the fisherman would not expect the packer to take them, but if it is only about \$10 or \$12 they will say let the packer pay it.

Q. There would not be so much of a hardship on the most of the fishermen in closing down as early as proposed, because at that time there are other fisheries for them to fall back on?—A. Very often the codfishing is on in the middle of June.

Q. And most of the canners that we have come across say they would rather close down, that they have to keep open against their will, although the fishery has slackened off they are obliged to keep on canning because the fishermen say: 'Here is my lobsters, you must take them.'?—A. That is my experience, after 25 years, that it would be better to close in the middle of June.

Q. In many places where the packers begin later than you do they say: 'Give us two months canning and that is all we want'?—A. Yes, I think that is all right. Do you have many packers that want the season opened the same as on the western shore?

Q. Oh, no?—A. I think if a man wants to fish he ought to have the same privilege east of Halifax that he has west of Halifax, that is my opinion.

Q. With reference to this matter of licensing canneries, the practice of the department for a number of years back has been to restrict the number of canning licenses issued?—A. Yes.

Q. There has been a good deal of complaint about it, the fishermen say that if there were more canners there would be more competition and that they would have a better show and a good many people have been trying to get canning licenses but have not succeeded in getting them. The fishermen complain that it is unreasonable for one man to be able to get a license and another to be refused, but it is a difficult thing to decide. The idea of the department was that by restricting the number of canneries they were keeping down the extent of the fishery?—A. Oh, no, they are not.

Q. Because there is as much gear, so the fishermen say, in the water as there would be, and that more canneries could not mean any more gear?—A. My opinion is that there are canneries enough, there are many of them on this shore that will not run another year.

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Q. To meet the objections of the fishermen who protested that they were not getting a fair price for their lobsters the department has consented to grant what they call co-operative licenses under which a group of fishermen, if they band themselves together, may can lobsters?—A. That is all I think that is necessary.

Q. Is there not a probability that some of those co-operative licenses will be absorbed by one person and that the co-operative principle will soon disappear?—A. Yes, I think so. Of course there are some people want a license who should not have it.

Q. Do you not think it is perfectly reasonable to insist on a certain standard of cannery, that is, that the cannery should be in a certain condition before the license is granted?—A. Yes, I do.

Q. We see a good many canneries that are in a horrible condition?—A. Yes, I have, too, and it is impossible to pack a good product there.

Q. And consequently the whole market suffers from the introduction of these inferior goods?—A. There is no doubt about it.

Q. Do you think I would be warranted in suggesting to the department that in issuing licenses there must be a certain standard conformed to by the cannery, that the tables must be covered in a certain way and that there must be means of ensuring proper cleanliness?—A. That is right.

Q. There is another question, whether the pack itself should not be subject to official inspection the same as other food products. Nearly all other canned articles are inspected now?—A. Yes.

Q. One question that I have here on my memoranda is as to whether the existing staff of fishery inspectors would be competent to carry out that inspection? Many are inclined to think it would require an expert in the packing business?—A. It would no doubt.

Q. It is suggested that while the existing staff of officers are competent for a good many things they would not be generally speaking competent for that?—A. No, they would not, they do not understand much about packing.

Q. There is another matter we come up against here, that is, with regard to the market fishery. There is no doubt as we get farther west the market fishery is beginning to assume larger dimensions, and there is a question as to whether in preparing regulations for that part of the coast where the market fishery is increasing, and where they have greater facilities for exporting alive than you have here, they should not be on such a basis that that portion of the fishery would be protected and encouraged?—A. Yes.

Q. It has been suggested that the department could venture to give people a longer season if they caught larger lobsters and if the catching of small lobsters be stopped entirely by giving a larger size limit, and in connection with the market lobster it is possible to enforce a size limit in a way that you cannot enforce a similar regulation with the cannery?—A. Yes, that is quite right.

Q. Now complaint is made that there is a combine among the canners to keep the prices down; have you, with your experience, anything to say on that matter?—A. I do not think there is very much of a combine.

Q. It has been pointed out that there was not very much of a combine a year or two ago when they ran the prices up on each other.—A. No, we have a lot of competition, we have three buyers in this little place and sometimes four, yes, the buyers for other canneries too come in smacks and buy our lobsters and take them away. I have been in business for 25 years and I have never yet, either myself or through the firm, entered into any agreement with any packer so far as the price was concerned.

Q. My opinion is, from the information I have received, that last year you ran the price up a little too high?—A. Yes.

Q. And this year you dropped it a little too sudden, and you went down too far?—A. Yes, the thing looked so black this spring that they were afraid to pack any or to give more, but at the close of the season the outlook was brighter.

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Q. Have you any recollection when the lobster canning was first introduced in this neighbourhood, when it first began?—A. I could not give the year, but it must be about 35 years ago.

Q. Who were the first to begin packing here?—A. W. K. Lewis and Bros., from Boston.

Q. Then the pioneers in the packing industry were Americans?—A. Yes, Americans.

Q. That leads to another question that has been asked, 'Why should licenses be given to aliens to pack lobsters'?—A. I think it would be better for the fisherman himself to license the foreigners.

Q. You say they were the pioneers in the industry?—A. Yes, they were.

Q. Is there anything American in the canneries beyond their capital?—A. Nothing more.

Q. Are the buildings built in Canada and of Canadian material?—A. Yes, exactly.

Q. Is practically everything employed in the construction of the building Canadian?—A. Yes.

Q. As to the labour employed, is that Canadian?—A. Yes, every mite of it.

Q. And you say they showed us how to do it in the first place?—A. Yes, and I think it would be a bad thing for the shore to drive them away.

Q. Have not Burnham & Morrill, the Portland Packing Co., and some others established recognized standard brands on the market?—A. Yes, they have, and they are always ready to comply with the law or any conditions imposed, I have never heard them dispute anything.

Q. Have they always been very careful of their pack?—A. They are very careful; our firm packs nearly altogether for the French market.

Q. Are your lobsters shipped direct from Halifax to France?—A. Yes, of course they pack broken meat, a lower grade, for sale in the United States but all the No. 1 goods are sent to France.

Q. Is it the case that canners have been compelled to accept undersized and berried lobsters for fear of losing their fishermen, who in case of refusal would go to other canners who are less scrupulous?—A. Not the berried lobsters, we have had no trouble with our fishermen of that kind for the last four or five years, but that is not the case with regard to the smaller ones.

Q. Is there 25 per cent more lobsters required in the fall than in the spring to fill a pound tin?—A. That is true up to September, but I do not think it would be true in October or November.

Q. How would the proposition that has been made by some of these fishermen here, to fish in September, October and November, instead of in the spring, appeal to you?—A. There are very few it would suit. September would usually be too early, the lobsters would not be ready then.

Q. And then you have the fall mackerel fishery, and that is the most valuable fishery you have?—A. Yes, but December would be a good month to fish here not before that.

Q. It would affect the market they tell us very curiously, on certain parts of the coast if they were canning in the spring and other parts of the coast where canning in the fall. We have been told by other canners in the Straits of Northumberland if that were allowed they would never know what prices to rely on?—A. That is very true.

Q. What do you think of this proposition to expect the fishermen to take out a form of license?—A. I do not think very much of it, I think it would be hard to enforce and would make lots of trouble.

Q. The idea of those who propose it is that the fishermen would look on it as binding on them and each man would be more apt to be scrupulous in observing the law himself and would perhaps be more ready to inform on those not so careful?—A. I dare say that it would.

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Q. And that a man should lose his license if he were found to be violating the law. Mr. Baker suggested it, and it has been suggested by a good many people?—A. I do not think very much of it, the man who intended to evade the law would do so in any case.

Q. Could you give me any idea of the proportion, the ratio between the market fishery, that is shipping alive to market, and those canned? What percentage of the total catch are shipped to market?—A. Burnham & Morrill do not ship all they could, they only ship the largest when it suits them, when the market is good, and if they cannot get enough undersized ones they use the 9 inch lobsters to fill their one pound cans, and perhaps for a week or two weeks they will ship none, but can the big ones; perhaps we may have 40 crates ready to go when the steamer comes, and if the market is not favourable we will get a telegram to go ahead and can them, but ours is the only firm that do that, the others I think ship all they can.

Q. Are there any people not interested in the canning at all who are purchasing the live lobsters for shipment?—A. No, it is all done by the canner, there is no one else here ships.

Q. In some places the purchasing for the live lobster trade is not confined to the canners?—A. It is not the case here.

Q. I suppose you have had complaints, by the fishermen that the price paid for lobsters is not satisfactory?—A. Yes, this year particularly, there was such a very high price last year that the price seemed excessively low this year, although it was down to about the average price.

Q. Was it the same price all through the season here?—A. Yes.

Q. \$2.50 per hundred pounds?—A. Yes.

Q. And 8 cents for large lobsters?—A. Yes, that was only for the large ones, the fishermen would do better to ship them themselves.

Q. Now as to the matter of hatcheries, pounds, and those things, what is your idea with respect to them?—A. Well, my opinion is that the pound is very much better than the hatchery.

Q. It more approaches the natural condition?—A. Certainly, and not only that but you save the mother lobster, and in the other case you destroy her.

Q. Do you think there are the natural conditions here for the establishment of a pound?—A. I think so, I think we have almost a natural pound here.

Q. You want a certain depth of water with a free inflow of the tide and the means of barring off the mouth?—A. Yes, we have a good chance for that.

Q. How shoal is that, four fathoms inside?—A. Yes, deep water inside, if there ever is a place intended for a pound that is it.

Q. And in your opinion where a pound can be established it should be as it has advantages over the hatchery?—A. Yes, and it could be established here at a very little cost compared with the cost of building pounds generally.

Q. What have you to say about the department's method of labelling the cases, do you think any good purpose has been served by that, and has it prevented the packing and export of illegally packed lobsters?—A. There can be no possible doubt that it did that all right, since it came into force there is no fall packing, it was a check on that.

Q. I see that the creation of a fishery board for the Maritime Provinces for the purpose of advising the department from time to time has been suggested, what do you think of that? Would you approve of the idea, and how could such a board be constituted?—A. That is proposed by our member, Mr. Sinclair, the chairman of the Committee.

Q. No, this is a proposal outside of parliament, on the same principal as your Board of Trade?—A. I do not know, that is too large a question for me.

Q. Is there any gear abandoned in the water here, or are they more careful than they used to be? Complaints are made by the canners in some districts that the

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fishermen who fish with the canners gear disappear when the season closes and the gear is left in the water?—A. Of late years they have been more careful. They had a rule here formerly that the factories should find half the gear for the fishermen, and there was some loss then, but now since they have had to pay for all the gear there is very little left in the water, none of any consequence, the factories do not provide the gear now, the fishermen furnish their own.

Q. How early can fishermen begin here do you think? Supposing that the date were fixed at the 1st of January here, as it is to the west of you, of course it need not necessarily mean that they must commence to fish then?—A. No, I think if the season were open they would commence about the 1st or the middle of March, not before that. Of course if they had a season beginning, as it does further west, they would fish a month here all right and then cease fishing as they do there, and resume again in March. We could profitably fish a month here up to the 15th of January.

Q. If you could do it here they could all around the coast here?—A. As far as Canso I think they could.

By Mr. Sinclair, M.P.:

Q. That is their best haddock month?—A. That is right, they could do better at that fishing.

By the Commissioner:

Q. What wages do you pay a sealer generally?—A. \$45 per month.

Q. And he maintains himself?—A. Yes.

Q. And what do you pay for the other labour?—A. From \$35 to \$40.

Q. And what do you pay the women?—A. About \$13 per month.

By Mr. Sinclair, M.P.:

Q. Are the sanitary arrangements for the girls satisfactory in the canning places?—A. Yes, sir.

Q. They have apartments of their own?—A. Well, no; they have not.

Q. Do they live in the factory?—A. What do you mean?

Q. Do they sleep at nights in the factory?—A. Oh, no.

Q. How do they board?—A. Our girls here all board at home, in a place like this we hire the fishermen's girls, and they live at home; they bring their dinner here.

Q. Then the cases do not arise here where they are bunched together?—A. No, that does not affect us here.

Q. With regard to the question of pounds and hatcheries, supposing we had a pound here in which to put the seed lobsters where they will remain until the 1st of July?—A. Yes.

Q. Would you expect that she would shed her spawn prior to that date?—A. I do not think she would.

Q. Would you expect her to have the spawn on her at that time?—A. Yes.

Q. You would not expect her to spawn in this little pound?—A. There might be a very few. We very often put lobsters in a large car at the cannery, and we are very careful that we do not put spawn lobsters in there; we put them in from one Monday to the next Monday, and on the next Monday when we go to take them up we often find berried lobsters there.

By the Commissioner:

Q. The berries have come out in the meantime?—A. Yes.

By Mr. Sinclair, M.P.:

Q. If the berried lobsters are put in this pound, you would ship all the other lobsters without any berries on them, and the only lobsters that would be saved would be

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the young lobsters that were hatched in the pound, and they would not have the same chance of being scattered 30 miles along the coast as those lobsters that are hatched in the hatchery?—A. No, they would not.

Q. Where we have the hatchery we have a little steamer that gathers up the spawn for 30 miles distance, and when she has a cargo of the little fellows that have been hatched out in the hatchery to distribute she takes them and drops them over the same territory in which she gathered the spawn?—A. That is the trouble with pounds everywhere, the fish are not distributed afterwards.

By the Commissioner:

Q. If you have pounds it will be better to have a number of small ones that will serve the various localities than to have large ones?—A. No doubt, it would be better.

Q. There is no doubt in my mind there are many cases where it would pay the canner if he were certain of his license, and of not having any competition, to establish a small pound and run it in connection with his cannery; he could run it himself?—A. Exactly.

By Mr. Sinclair, M.P.:

Q. And allow the seed lobsters to escape at the end of the season?—A. Yes.

Q. Mr. Baker made the proposal that an additional tax be placed on each case of canned lobsters in order to provide a revenue to pay for the seed lobster?—A. Yes, I saw that.

Q. By that means a fund would be created to propagate the lobster?—A. Yes.

Q. What do you think of that?—A. I think it would be a good idea, if they would leave us that money for the benefit of the lobster industry.

By the Commissioner:

Q. What are you afraid they might do with it?—A. Some think that the cannery might use that; for instance, they might create a pound there.

Q. What do you pay per case?—A. Two cents a case.

Q. Mr. Baker was proposing \$25 a hundred?—A. Yes.

Q. He says that they would raise \$40,000 that way?—A. Yes.

By Mr. Sinclair, M.P.:

Q. You think that would not unduly cripple the industry?—A. I think not.

By the Commissioner:

Q. I am afraid if you did that you would have an objection from the co-operative canners, the big packers are ready to pay that? (No answer.)

By Mr. Sinclair, M.P.:

Q. The co-operative canneries are very few?—A. It looks as if the canner ought to do something.

By the Commissioner:

Q. There is very little doubt that the industry ought to pay for its own protection?—A. Yes; they are really paying nothing now, because the 2 cents a case does not amount to very much.

Witness discharged.

The Commission adjourned.

SPRY BAY, September 4, 1908.

HECTOR M. SMILEY, packer, Port Dufferin, called and sworn:—

By the Commissioner:

Q. How long have you been connected with the lobster industry?—A. Ever since I was able to work I started in fishing, I think it is about 30 years since I started to go in a boat with my father.

Q. How long have you been packing?—A. Since 1887 or 1888, I am not sure which.

Q. Always in the same place?—A. Always in the same place.

Q. What is the capacity of your cannery, what is the largest pack you have made in it?—A. I have just packed in some years about 720 cases.

Q. When did you make that?—A. That was in about, I think, 92 or something like that, that is away back.

Q. What did you pack this season?—A. This season was the smallest pack I ever made, 351 cases.

Q. That is due largely to the bad weather, I suppose?—A. The bad weather.

Q. Did the low price affect the fishing any? We find in some places there were not quite as many engaged in the fishing on account of the low price?—A. We had just the same number of fishermen.

Q. When you began packing what number of boats did you employ, or what number fished for you?—A. We started in with six fishermen and packed our own.

Q. You had a sort of co-operative factory long ago then?—A. Yes.

Q. And now what number of boats have you?—A. Between 40 and 50.

Q. Do the fishermen supply their own boats and gear?—A. All their own boats and gear.

Q. To make a long story short, what is your experience of the present condition of the fishery compared with what it was in the early years?—A. I think there are just as many lobsters caught, but there are more fishermen at it.

Q. And are the lobsters of as large run as they were or are you getting smaller lobsters?—A. I think we are getting smaller lobsters.

Q. Do you know how many it takes on the average, with you, to fill a pound can, or how many lobsters here run to the hundred pound? You buy them by weight?—A. We buy them by weight. We get $4\frac{1}{2}$ cases to a thousand pounds of green lobsters.

Q. Do you always buy by weight?—A. Always by weight.

Q. It was never the custom here to buy by count?—A. Always by weight, that is the small lobsters.

Q. And how long have you been shipping market lobsters from here?—A. I think it is about eight years as near as I can recollect, or probably ten, I am not quite sure; Smith shipped one year from here before we did, I think it is about nine years.

Q. How was it they were not shipped prior to that, was it because the facilities did not exist?—A. Just so.

Q. How many canneries were there in the early years, was the first established by you here? Has the number increased at all?—A. No, it has decreased, I think.

Q. There are not as many canneries here as there used to be?—A. No.

Q. Did they go out of business on account of a decrease in the catch?—A. No, I think it was mostly through opposition, the price was so high they could not make it pay. A lot of them were small factories.

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Q. Who are the packers in this neighbourhood besides yourself?—A. H. J. Balcom, Port Dufferin; T. F. Smith & Co., of Halifax, at West Quoddy; Burnham & Merrill, one each side of Port Dufferin, Ship Harbour Passage; and at Harrigan Cove; they do not run the Shaw Harbour Passage factory now.

Q. I suppose the amount of gear has greatly increased compared with what it was a few years ago?—A. No, a few years ago they fished about the same amount of gear.

Q. It has not increased for how long?—A. About 10 or 12 years.

Q. It has been steady for 10 or 12 years?—A. Yes.

Q. But there is a great deal more gear now than when you first commenced to operate?—A. Yes.

Q. Are the men who carry on the lobster fishery men who carry on the other branches of the fishery?—A. Yes, they are, they carry on the other fisheries, they are regular deep sea fishermen.

Q. About what time in the season do you make your first pack?—A. The 15th or the 16th of April.

Q. The season here, of course, is from the 1st of April to the end of June?—A. Yes.

Q. At what time of the season are you the most busily engaged, at what time are the most lobsters coming in?—A. I think about the first week in May.

Q. And it continues that way up to?—A. Well, the 20th of May.

Q. After that is there a slackening off?—A. Yes, a slackening off.

Q. What proportion of the lobsters you purchase are market lobsters?—A. I suppose about one-fourth, well we generally pack all up to $10\frac{1}{2}$ inches.

Q. You only export the $10\frac{1}{2}$ and upwards?—A. We only export $10\frac{1}{2}$ so far, and I suppose that percentage will be about one-fourth or probably one-fifth.

Q. How is it here with regard to the matter of size limit? If the size limit of 8 inches were strictly enforced how would it affect you? Did you see the evidence of last session?—A. Yes, I have it here.

Q. Most of the canners who were examined there seem to say that if the limit were strictly enforced it would put them out of business?—A. It certainly would.

Q. How would it affect you here?—A. We would not get enough to pay if we only had to pack those from 8 to 9 inches, we could not get enough because the fishermen would ship all over 9 inches and we know that if we only had those between 8 and 9 inches it would not pay.

Q. Has that regulation been enforced here?—A. Not very strictly.

Q. What has been the practice with regard to the berried lobster?—A. Mostly the fishermen throw them away.

Q. They do now?—A. They do now.

D. Did they always do so?—A. I do not think so years ago.

Q. Was it the practice to strip them or to bring them in as they were?—A. The fishermen, I think, used to strip them.

Q. What has been the practice of the canner in that respect? Has he always been ready to receive them?—A. No, I know for myself that we were always very strict that way.

Q. And that was what led to the practice of brushing off the eggs I suppose?—A. Likely that was it.

Q. But of late years the fishermen have seen that it is better for them to throw them away, you think that the fishermen see that they are ruining the industry by destroying the breeding female?—A. Yes.

Q. What do you think is the best means of providing for the breeding lobster? I suppose that is the first consideration? Various suggestions have been made, but I suppose the best way is to put her back in the water immediately, what would you consider is the percentage of the egg bearing lobster?—On our part of the coast this year they have been very, very few.

Q. But one year with the other, out of every hundred lobsters how many would you say were egg bearing?—A. I do not believe there would be more than 2 or 3 per

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cent. I have been talking a little to fishermen and one of the best fishermen told me he only got 33 seed lobsters all summer.

Q. So that the loss to the fisherman by putting her back in the water would be a very small affair?—A. A very small affair.

Q. It certainly would be compared with the benefit gained?—A. That is right.

Q. Where it can be done, it has been suggested that more hatcheries or pounds should be established; have you ever given that matter consideration?—A. Yes, I have written the government about that matter.

Q. What do you recommend?—A. I recommend a pound, I do not know anything about the hatchery, I never saw one, and I think the pounds would be the least expense and that they would work all right.

Q. Are there facilities here for establishing a pound?—A. Yes, I think so.

Q. You know what is required, a place with a narrow inlet that could be easily barred off, with a sufficient depth of water and a clear bottom, with the free flow of the tide in and out, and not too much fresh water; you know a very small percentage of fresh water will kill them?—A. Sure.

Q. So that wherever these facilities exist, a pound, it seems to me, is the reasonable way of providing for the lobster, and the practice has been in other places to pay the fisherman for his seed lobsters and place them in pounds, afterwards releasing them when the fishing season is over. One great objection to the pound is that it is difficult to distribute the lobsters from the pound, and the immediate neighbourhood gets the benefit, whereas the lobsters may be brought from quite a distance; the fishermen complain that it is not exactly right to bring the lobsters from their neighbourhood to the pounds and afterwards liberate them in the vicinity of the pounds?—A. That is right.

Q. But where it is possible there ought to be a number of small pounds as near the canneries as possible, that would get over that difficulty?—A. We have a place near Port Dufferin where at a very small cost a pound could be placed.

Q. In a good many cases a small pound could be run by the fishermen and the canners of the neighbourhood to their own great advantage without any further assistance. Would an increase in the number of canneries result in an increased catch of lobsters, do you think?—A. No, I do not think it would.

Q. Now, as to the matter of licensing canneries, the policy of the Department for some years past has been to restrict the number of canneries, with the view, as far as possible, to restrict the fishery, but no limit has been placed on the amount of gear used; do you think that this restriction has had the effect intended? You say you think that an increase in the number of canneries would not mean an increase in the fishery?—A. No, I do not think it would.

Q. Is there any good reason why any man who shows his ability to pack should not be granted a license?—A. I do not know any reason why he should not be given a license.

Q. There have been a great many complaints on the part of the fishermen that owing to the restriction in the number of canneries there is an absence of competition and that they are tied down in price. Of course we have heard a great deal of that in recent years, and you have heard it too I expect?—A. Oh, yes, we have heard it.

Q. And to obviate that the department decided a couple of years ago to issue co-operative licenses to fishermen who were dissatisfied with the way things are going, if they combine to the number of 15 at least and applied for a license. Do you think that relieves the position as far as the fishermen are concerned, and that it gives them the opening they want?—A. As far as our fishermen down our way are concerned I do not think very many of them would think of anything like that.

Q. Do you think that the fishermen would make more money if they all went into canning than they would by selling their lobsters to the cannery?—A. I think they would make less if it was anything like it was last summer.

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Q. Still, where there is friction between the fishermen and the canner that way, it seems to be the natural solution of the difficulty to let the fishermen if they are not satisfied try it themselves?—A. I do not think they would keep the factories running very long or that they would keep at it for very many years for the simple reason that other packers would likely join together and run their business in a more up to date manner, and so control the markets.

Q. As to that matter of canneries, do you think it would be reasonable to insist on a standard cannery? If it were decided to increase the number of licenses they would have to put some restriction on it and to insist that the cannery was up to a certain standard of fitness?—A. Yes.

Q. There are a great many canneries we have seen where things are badly run, and the product of such canneries must have a bad effect upon the market generally, so it has been proposed that the department should insist that the cannery must be up to a certain standard before it is licensed. Do you think that is reasonable and fair?—A. I think that is quite reasonable and quite fair.

Q. You know that the tendency of the present day is to have all food products inspected by responsible inspectors; other canned products are all inspected; is there any reason why the product of the lobster cannery should not be inspected in the same way?—A. I do not see any reason why it should not be, I think it would be better.

Q. There is a certain amount of inspection carried on by the buyers, but that is not an official inspection, that is only for their own guidance in purchasing?—A. Oh, no, that is not an official inspection.

Q. Now, as to the remedies. I suppose there is no doubt that the condition of the lobster fishery has failed, and various remedies have been suggested to the department. Some people say the natural remedy is to shut down altogether for a few years and let the lobsters grow up again. How would that appeal to you?—A. Well, I do not think that it would make very much difference.

Q. It has been suggested by some fishermen that it is a pretty severe measure?—A. It would give the small lobsters a chance to grow all right.

Q. There is no doubt that if you had only the lobsters to consider that is the remedy?—A. That is the remedy as far as the lobsters are concerned.

Q. But there are other things to be considered also, the large amount of capital invested in the lobster fishery, and if the fishery were shut down for five years the canneries and the wharfs would deteriorate and all the fishermen's gear, and what would the fisherman himself do in the meantime, because the lobster fishery appears to be the first thing he can go to in the spring?—A. It is the first thing he can go at in the spring.

Q. What are the average earnings of a lobster fisherman during the two and a half or three months in which he is engaged in lobster fishing?—A. What we call a good fisherman will average \$300.

Q. That has to be divided between two men, has it?—A. Well, one man and a boy; you generally have to pay a young boy \$20 a month.

Q. What is the average boat used by the lobster fishermen worth?—A. \$20.

Q. And what is the average gear worth?—A. Where they make the traps fit for the deep water they are worth \$1. They cannot fit them out for less than that.

Q. That remedy, therefore, seems to be out of the question. Then the Lobster Commission of 1898, I do not know whether they came here, in the course of their enquiry?—A. No, they never came here.

Q. They recommended that we shut down by sections, shutting off one part of the coast, say 50 miles, or whatever distance it might be decided upon every year, and allowing the fishery to continue on the other sections of the coast, moving those sections around gradually until the whole coast had been given a close season?—A. I do not think that would work very well.

Q. Then it has been recommended and suggested that the size limit be reduced,

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that instead of an 8-inch we have a 7-inch limit. Some people say: 'Give us a 7-inch limit and we will take care that nothing smaller than 7 inches is captured and it will be all right.' Of course you know that once the limit was 9 inches?—A. Yes.

Q. But that was not observed, and they said: 'Give us an 8-inch limit and we will not violate that,' but that limit is now very generally ignored, and now they say: 'Give us a 7-inch and we will observe that.' Do you think they will be any more likely to observe a 7-inch limit than they have observed the 8-inch?—A. No, I do not think they would.

Q. Another proposition is to do away with the size limit altogether, it never has been enforced, and it is very difficult to enforce it, so it is suggested that the best thing is to do away with the size limit altogether and to provide for the protection of the small lobster to a certain extent by regulating the space between the slats in the trap, so that a moderately small lobster would be able to escape, and at the same time to strictly provide one way or the other for the protection of the berried lobster and to shorten the season by a couple of weeks at the end?—A. That is my idea.

Q. The general trend of the testimony we have goes to show that it is during the last few weeks of the fishery that the greatest harm is done by the capture of the small and the berried lobster?—A. Yes.

Q. And at that time there are other fisheries coming on that the fisherman could devote his attention to, so that the loss to the fisherman, by shortening the season, would not be very serious, whereas it would be a great protection to the lobster?—A. That is my idea of the whole matter; that is just the way I feel about it.

Q. Have you any experience with regard to fall fishing?—A. No.

Q. In some places they have suggested that we should do away with the spring fishing and allow fishing in the fall. It has been said that it would take a very much larger percentage of fish to fill a pound can in the fall than it does in the spring?—A. That is what I have heard, because after spawning and shelling the lobsters are thin, but I suppose later on, in November, it would be better; they begin to improve in October.

Q. Another proposition that has been made to the Department is that all lobster fishermen be required to register, that before fishing for lobsters every man shall submit his name every year and sign a form which binds him to observe the regulations strictly; it is not proposed that there should be any charge for this, but every lobster fisherman would have to obtain this license. The idea of those who suggest it is that a man having done that would feel himself bound to observe the regulations, and that he would perhaps interest himself in seeing that others would do the same, or would give information against them if they did not, the intention being that any one found persistently violating the regulations, particularly with regard to the berried lobsters, would lose his license and would not be allowed to fish for lobsters in the future. Do you think that is workable?—A. I think it would be all right if you could get it to work; that would be the right thing, but it is pretty hard to get a thing like that worked out.

Q. With reference to this matter of the trap, do you think that by establishing a fair space between the slats a proportion of the small lobsters would thereby escape? In a great many places you know they have narrowed the space down. I can remember when the traps were first used we generally made the space $1\frac{1}{2}$ inch, the width of the lath, but in places where they are catching a very large percentage of small lobsters that space has been narrowed down to half an inch, and that certainly prevents almost anything that finds its way into the trap from getting out?—A. Yes, anything that is any good.

Q. Do you think it would be fair to fix that limit at $1\frac{1}{4}$ or $1\frac{1}{8}$ inch?—A. Yes.

Q. Do you think that would provide for the escape of a certain proportion of small lobsters that want to go out?—A. They will not all go out.

Q. But will it allow a fair proportion to go out?—A. Yes, I think a proportion of them will go out.

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Q. I suppose you all use the parlour trap here?—A. Yes, we all use the parlour trap.

Q. Which branch of the fishery do you think is the most profitable one to the fisherman? Where the opportunities exist for carrying on the export of lobsters alive to the market is it the most profitable branch of the fishery to the fisherman?—A. Yes, it is.

Q. What have been the prices paid here this year for canning and for market lobsters?—A. \$2.50 per hundred pounds and 10 cents for large.

Q. Ten cents for large, is that for over 10½ inches?—A. That is over 10½.

Q. How does that compare with the prices paid last year?—A. Last year the prices were \$4.50 and 15 cents; it started at \$4 and went up to \$4.75. I suppose the average would be about \$4.50 and 15 cents; of course they were not worth that, and the packers lost a lot of money.

Q. And this year they came down too low in their price?—A. I do not know that they did, the market was bad.

Q. In some places the price was \$2 this year and that is pretty low?—A. I think that is pretty far down, this year most of them only paid 8 cents for the large, but we paid 10 right through from the start.

Q. How do you export your lobsters from here?—A. By steamer to Halifax.

Q. How often can you ship them?—A. Once a week.

Q. When is that, to catch the Boston boat?—A. To catch the Boston boat. Of course this summer, on account of the heavy storms which made the pack short and destroyed the fishermen's gear, some of them gave it up altogether.

Q. If it became obligatory to have a wider space between the slats in the trap, I suppose the best thing to do would be to insist that all traps made from this date should have a certain space?—A. That is what I was just going to mention, what about the trap in use now?

Q. Because it would be a serious matter to condemn all the traps that are now in use. I suppose the life of a trap is about 3 years?—A. Yes, about 3 years, although with some of them it is not 3 days.

Q. Yes, but some of them last 5 years?—A. Yes, some of them will.

Q. But generally they have to be renewed every 3 years?—A. Yes.

Q. You do not suffer much from the ice here?—A. Not much.

Q. At what time do you generally begin fishing?—A. The fishermen always put out their gear on the 1st day of April if it is possible to do so.

Q. Why could you not have the same regulation here that they have to the west of you, that the season should open on the 1st of January? It would not mean that you would commence fishing on that date, but that you would start to fish whenever you could?—A. I think if they started in on the 1st of January some of them would want to put their gear out on the 1st of December.

Q. Not very far away from you here, the opening of the season is on the first of January?—A. Yes, and on the 15th of December further west in one section. I think our season opens early enough or a little too early. I know that the experience of my own fishermen is that they do not get the lobsters out in deep water at first, they get the gear out early and they catch what you call flat-tail lobsters, that is, the mother lobsters which never have a chance to come in and spawn. The fishermen always look out to get what they call the flat-tail school and try to catch them before they get in.

Q. The idea is that as far as possible the season should be uniform, there should not be different seasons and different size limits in different adjoining districts. It does not make any difference as far as the opening of the season is concerned really when it is fixed, because you only put out your gear when you are ready or when it is possible to go out. The reason why the seasons were fixed in the way they are was not with a view of protecting the lobster apparently, but with the view of saving the

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gear, and so that one man could not go out and get the best ground before the others were ready.—A. My idea is that the season is early enough, I do not want it any earlier.

Q. Is it to your knowledge that the fishermen have ever lost their catch of lobsters by reason of the canners having refused to accept them?—A. No, I have never heard of that.

Q. It has been alleged also that in some cases the fishermen have suffered injury by the failure of the canners to operate their canneries, although a sufficient supply of lobsters was available. Do you know of any instances of that kind?—A. I do not know of any.

Q. There have been places where there was disagreement between the canner and the fisherman?—A. Burnham and Morrill have cut off factories, they shut one down, and they smacked the lobsters at that place to another factory.

Q. As long as they buy the lobsters it does not matter much?—A. No.

Q. Most of the lobsters are smacked, are they not?—A. Most of them are smacked.

Q. Would the fishermen find any other market for their lobsters if the canneries were closed?—A. Not for the small ones.

Q. What are the average wages paid in the cannery? What do you pay, what does the foreman generally get?—A. \$60 a month.

Q. And the sealer?—A. \$45, that is paying his own board.

Q. And the other hands about the cannery?—A. Well, they average from \$30 to \$40, that is the men.

Q. And the girls?—A. The girls we pay \$8 per month and board, we pay wages straight through, \$8 to them.

Q. What provision is made for the care of those girls in the places where they are boarded, have they any retirement, or are there any special conveniences provided for them?—A. Oh, yes, they are looked after just as well as any other class of boarder.

Q. There are complaints that in some places the girls are not always carefully secluded?—A. We have not a cook house as they generally have, we take them to our own houses; I take one-half of them, four or five, and the other fellows take the others. I have heard that there are complaints in some places, but there is no reason for it here.

Q. Is there any fishing or canning done out of season?—A. Not to my knowledge of late years.

Q. There has been, has there not?—A. Yes, probably ten or twelve years ago there was.

Q. Is there a great deal of gear abandoned in the water? That does not happen where the fishermen own their own gear?—A. No, they are very particular in getting in the gear, if there is anything left out it is some old wornout trap which is not fit to bring ashore.

Q. What do you think of the method of labelling the cases, is any good purpose served by that? Has it prevented the canning of lobsters out of season?—A. I do not think it has.

Q. You think there have always been ways of getting over it?—A. Yes.

Q. Is there any suggestion you desire to make yourself, have you anything to propose for the improvement of the lobster fishery?—A. I haven't anything, I did not think I would have to say anything, I just came up to hear what was going on. The only thing I would like to say is, that I think we should have a pound or something like that.

Witness discharged.

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A. F. BALCOM, packer, Port Dufferin, called and sworn:—

By the Commissioner:

Q. I would like you to give us your views, Mr. Balcom?—A. Mr. Smiley has said about all that I can say.

Q. Would you venture to say that you have heard all that he has said and that you approve of it generally?—A. Yes.

Q. And that you have nothing to add?—A. Not any more than I would like to see the season shortened if possible by ten days in the end of June, and as to the size limit, I would say no size limit at all, but be very strict on the seed lobster. For the last few years the law has been observed pretty well here in that respect, I know I have observed it myself, I have been right there all the time and if at any time I saw a spawn lobster coming in on one of the smacks I would send it back. Of course they will get in on the smackman, but the fishermen ought to be able to see them more easily than the smackman when dipping them out of the car.

Q. In places where it is not possible to establish hatcheries or pounds it is suggested that either a fishery officer accompany the smackman, or that the smackman be made a fishery officer, and that he keep tally of the berried lobsters he receives from the fishermen, and pay for them; you see that if they return them to the water they might be caught again and you would be paying twice for the same lobster. They overcome that difficulty in the state of Massachusetts by the smackman being provided with a small punch with which he makes a hole in the tail of the lobster, it does not hurt her, and then she is put overboard. Of course that hole disappears when she sheds her shell, but that is not during the fishing season, so that in that way they keep tab on the lobsters, and, of course, if taken by another fisherman during that season she is not paid for again. Do you think it is possible to do that here, would it mean any delay to the smacker?

Mr. SMILEY.—No, no delay at all, every fisherman can separate his seed lobsters and give them separately to the smackman who can then punch the tails and put them overboard and at the same time keep a tally of them, so that at the close of the season the fisherman will be paid for his seed lobsters.

Witness discharged.

JAMES ANDREWS, fisherman, Spry Bay, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. Ever since there has been a lobster caught on the coast, however long that is.

Q. When did it really begin? I suppose there wasn't much lobster fishing before the canning commenced?—A. No, there was none.

Q. Before that the people used to hook out the lobsters for their own use?—A. That is about all.

Q. When did you say the canning first began here?—A. I forget the exact date, it must be close on 40 years.

Q. No doubt you had it here before we had it further north. Who were the first to begin the canning here?—A. Burnhams, I guess, were about the first.

Q. They were Americans, were they not?—A. Yes.

Q. And they were the first to introduce the canning, were they not?—A. Yes, the Winslow Company was the first and the Portland Packing Company, and there were others, but they all went out of business.

Q. You have been fishing between 35 and 40 years, haven't you?—A. Yes.

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Q. What is the condition of the fishery now compared with what it was when you began?—A. A long ways from it.

Q. Of course there is a great deal more fishing done?—A. Yes, of course they were very small in price when we first commenced, we only got 30 cents a hundred for count.

Q. Those were all big lobsters?—A. Yes.

Q. Were they larger than any you catch now?—A. Yes, all old lobsters.

Q. But you soon caught them off, did you not?—A. Yes, they did not last very long.

Q. And what is the difference in the amount of gear used now?—A. There is three or four times as much gear fished now as there was then.

Q. When you began fishing how many traps did you fish?—A. 100.

Q. And now you fish how many?—A. About 180.

Q. That is a two-handed boat?—A. Yes, a two-handed boat.

Q. How are these traps set, on trawls or single lines?—A. On single lines.

Q. When do you first begin to fish?—A. The 1st of April.

Q. In what depth of water do you put the traps?—A. 10 to 15 fathoms.

Q. How far off shore would that generally put you?—A. Not very far 2 or 3 miles off from the headlands.

Q. Is there any special bottom you look for?—A. Yes.

Q. What kind of bottom do you prefer?—A. Rocky bottom with broken ground.

Q. How long do you fish out in that deep water?—A. Until about the middle of May.

Q. And then?—A. And then we close in on the shore.

Q. Into what depth?—A. Shoal water, from 3 to 5, or 7 and 8 fathoms.

Q. Is it in the shoal water that you meet with the greatest loss of traps?—A. Yes, mostly about the last of June that we usually meet with the greatest loss of gear; this year we were a little ahead.

Q. Is there any Fisherman's Union here?—A. No.

Q. You employ your own boats and gear in the fishery?—A. Yes.

Q. Most of the fishermen here do the same?—A. Yes.

Q. Has that always been the case?—A. Yes, that has always been the case.

Q. Do most of the fishermen here when they have finished with the lobsters go to the herring, cod and mackerel fishing?—A. Yes, most of them are engaged in that.

Q. What style of trap do you fish?—A. The parlour trap.

Q. What is your opinion, as a fisherman, as to the desirability of fixing a standard trap? Do you think that the space allowed between the slats makes any difference as to the escape of small lobsters or not?—A. I do not know that it does, much. I think that anything that is under 7 inches goes out of what traps we have built.

Q. What space do you generally allow between the slats here?—A. About the width of a slat.

Q. Would it be an inch?—A. Yes, it is an inch all right.

Q. What is the mesh in the end of the trap?—A. About 3 inches.

Q. That is extension measure?—A. Yes.

Q. Now you heard me talk about that proposition of having the fishermen register?—A. Yes.

Q. That when the fishery officer comes around to pay the bounty those who want to fish lobsters would go before him and get a permit, a printed form of license? What do you think of that proposition, would it work, or would it be any good?—A. I think it would be all right.

Q. Do you think it would have the effect that those who propose it expect it to have, would it make the fishermen more careful?—A. It ought to.

Q. Of course a great many men do not require anything of that kind, but there are others who do require that kind of a check.—A. That is right.

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Q. What is your practice here with regard to the undersized and berried lobsters, do you expect the canner to take everything you bring him?—A. No, we are very careful in putting the seed lobster away, we do not destroy any of them in any shape.

Q. Is it to your knowledge that any large proportion of them have the eggs brushed off outside?—A. I do not think they do, no; there has been a time when that was done, but I think they are very carefully taken care of now.

Q. As to the small lobster, what proportion of the total catch will be below 8 inches?—A. There are quite a few below 8 inches.

Q. How would it affect you as a fisherman if the 8 inch limit were strictly enforced, would you get enough lobsters still to pay you?—A. No, we would not.

Q. How is the matter of the price paid for lobsters settled? Who fixes the price?—A. The packers I guess fix the price.

Q. Do you think there is any combination among the packers to keep the price down?—A. I am sure there is.

Q. There was not any combination the year before to keep it down when it went up, was there? You have heard that explanation I gave a little while ago of the policy of the department with regard to giving the fishermen what they call co-operative licenses?—A. Yes.

Q. Do you think that is a fair way out of the difficulty, that if the fishermen are not satisfied with the price they receive they can club together and co-operate.—A. That is right, the fishermen should have a chance as well as the packers.

Q. And that gives them the chance they want?—A. Yes.

Q. Has there ever been any competition in the matter of price, or have you always been obliged to accept just what has been offered to you?—A. Yes, that is the usual way of it.

Q. Now take the market fishery as compared to the canning, in which of those fisheries is there the most money for the fishermen?—A. I think in the 'markets,' the live lobster trade.

Q. That is the large lobsters?—A. Yes.

Q. Is it the case to-day that the large lobsters are all sent abroad and not used for canning?—A. There are none used for canning except it is one that does not look fit to ship away, or that cannot take care of himself.

Q. What proportion would you say of the lobsters you catch are female lobsters with berries on?—A. I do not think there are more than 2 or 3 seed lobsters out of a hundred.

Q. That is from the opening to the end of the season?—A. Yes.

Q. Do you find them more numerous at any one particular time of the season?—A. No.

Q. You find them with berries on all through the season?—A. Regularly through the season.

Q. Do you find that the berries are riper at one time than another?—A. Yes, when it is coming on the latter part of the season.

Q. Have you ever seen a lobster that has hatched with the berries still remaining on her, but open and broken?—A. Yes, I have caught some this summer and I kept five or six of them for the especial purpose of seeing how soon they would spawn off, I kept them in the trap about seven weeks.

Q. Did you feed them?—A. Yes.

Q. And at the end of that time had they all lost their eggs?—A. No, not quite, but I never had one lose her spawn until I put the male lobster in with them. I kept them there quite a while but they did not seem to spawn off or anything, and I put some male lobsters in with them and then they spawned off.

Q. What would be your theory about that?—A. Oh, well, I do not know.

Q. What sort of lobsters do you get when you first begin fishing?—A. A very small run of lobsters.

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Q. When do you get the biggest and best ones?—A. About the first of the season we generally get the best lobsters, the most large ones.

Q. How is it when the season advances, and when you come into shoal water?—A. The lobsters get smaller.

Q. They are smaller?—A. Yes, they are smaller in shoal water.

Q. Do you think that is due to the fact that the big ones are caught off before that, or do you think that the small lobsters come close in shore?—A. I think so—well, I do not know either, I think there are only certain times when the big lobsters trap, I think that he is more particular about trapping than the small ones.

Q. Do you think the female lobster comes in shore to spawn?—A. That is pretty hard to say.

Q. Or does she spawn in deep water?—A. You will get them any time in the season right in close to shore, and you will get them off shore, so that it is pretty hard to tell.

Q. The theory of those who have devoted a good deal of attention to the matter is that the female lobster comes in shore where the water is warmer than it is in the deep water, and where there is more light in the bottom to hatch and develop her eggs, and that shortly before the spawning time she backs off and goes out into deeper water and it is there the eggs are actually hatched; as soon as they are hatched they come to the surface of the water and for about six weeks they float about on the surface and furnish a large amount of the mackerel food and that during that time the lobster travels head first, and his whole life is a series of shedding his coat, and in the first year he grows 3 inches; experts have watched them where they have large salt water biological stations, and they have settled that fact beyond any doubt, and that after the first year the lobster grows about 2 inches every year, so that an 8-inch lobster is about three years old?—A. Do you suppose that a lobster grows between his shelling seasons, while the shell is on him?

Q. Not much.—A. I do not think so either.

Q. He will, in the shelling process, expand two inches every year up to a certain date and after that they cease to lose their shell every year, that is the old lobsters you sometimes see with barnacles on do not shed their shells.—A. Oh, no.

Q. What is the smallest female lobster you have ever seen with eggs on?—A. You will get them very small, from 7 to 8 inches, lots of them in times when there were plenty of spawn lobsters.

Q. But as a rule the bulk of them are fair sized lobsters?—A. They are fair sized lobsters.

Q. It is your opinion that the lobster fishery is falling off, that it is suffering from some cause or other, and you have heard all the various propositions that have been made about closing down altogether, closing down in sections, and fishing a 7-inch limit instead of an 8-inch limit, doing away with the size limit, shortening the season and protecting the berried lobster; which of all these propositions appeals to you, as a fisherman, as being the right one to adopt both for the protection of the lobsters and the fishermen?—A. Well, I think to catch them of all sizes and give us a little shorter season; that would suit everybody, the fishermen and the packers too, I think.

Q. Is it the case that before the end of the season the fishermen begin, many of them, to take in their gear and prepare for other fishing?—A. Yes, and the lobsters are getting so slack that they are not making enough at it so that it does not pay them to keep their gear out.

Q. We hear that most of those who keep their gear out very late in the season are the older men who do not go out, those who fish inshore, around the bays and harbours, and around the coast.—A. Well, a good many of them do, yes.

Q. Do you think there is a better disposition on the part of fishermen generally to protect the berried lobster now?—A. Yes.

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Q. You think the disposition of the fishermen generally is to do so, they see the need of saving her?—A. Yes, they know the necessity of putting her away carefully and they do it.

Q. Is it your opinion that in this neighbourhood they are doing that now?—A. Yes, as far as I know, every fisherman is. I want to ask you, do you suppose that the lobsters that are taken away and put in the pound, seed lobsters, ever come back again to the place they are taken from?

Q. I would suppose they would if it were not too far away; the lobster is not supposed to travel very great distances although there are some unmistakeable proofs that they have gone a good way, and into much deeper water than most people think. I have met many fishermen in the St. Lawrence, outside the coast of Gaspé we go into very deep water quickly, and the bulk of the fishing is done in three line water, and they very frequently hook up lobsters in that depth?—A. I have caught them myself on hooks in thirty fathoms off shore.

Q. Have you caught them very late in the season, in the winter time?—A. Yes; in the fall of the year, in the fall fishing.

Q. Lobsters have been marked and set adrift on the coast of Maine, and they have within a few days been caught at Grand Manan, showing that they must travel a considerable distance occasionally; but one great objection to the pound is that generally it is too far from the place where the lobsters are caught. Now, to the Baker pound above here they bring the lobsters from nearly 50 miles, and that is not wise I think, because, in the first place, the lobster does not reach the pound in very good condition after such a long journey because of the delays in getting her there, and then I think it is too far from the place whence she comes; it would be unfair to the fishermen in that neighbourhood if their breeding lobsters were taken away from their coast and liberated elsewhere where they would not get the benefit of them. That is the objection which has been raised by the fishermen?—A. And that is right.

Q. In the case of the hatchery the boat that takes the young lobsters after they are hatched is supposed to travel along the coast where she obtained the eggs and there distribute them?—A. Yes.

Q. I do not know there is anything more I have to ask you, but if there is anything I have forgotten, or anything you would like to say, we will be glad to hear it, and it will be recorded?—A. I think everything has been covered.

Q. Do you think that the decrease in the lobsters has been gradual, that it has gone on from the beginning?—A. Yes.

Q. Or has it been greater at any particular time?—A. Oh, the lobsters are scarcer now than ever.

Q. And, as you say, the total quantity caught now is pretty much as it was?—A. Yes, but look at the number of fishermen and the quantity of gear in the water compared with what there used to be.

Q. That means, of course, that you could not expect to get as large a catch of lobsters as you did when there was only one-half the amount. If it were reduced at the present time to only one-fourth of the gear in the water and one-fourth of the fishermen, they ought to do better?—A. I do not know; when you are fishing a hundred boats more or less, you do not seem to get any more fish than if there were half a dozen boats; it is about the same thing.

Q. You think the decline has been steady and gradual?—A. Yes.

Q. Some people tell us they do not think the decline has been as much during the last five or eight years as it was before that?—A. Well, I believe that myself; I believe that since the seed lobster has been cared for and looked after right, they have not gone back as much as they did before, that seems to have been the protection of them. The last three years they seemed to hold their own pretty good, and this year, if it had not been for that storm, they would probably have been as good as they were the year before. I take notice that this last two or three years there has been a much greater

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quantity of those small lobsters than there used to be; one fisherman told me that he threw away 30 in one morning.

Q. There is no doubt if the female lobster were strictly preserved we would have very little bother?—A. I think it is pretty strictly looked after now.

Witness discharged.

Mr. BALCOM.—What about a hatchery here. There are plenty of places around here where one could be started. I endorse what Mr. Smiley has said.

Mr. SMILEY.—If they are going to have a size limit, I would like to see it made 9 inches.

The COMMISSIONER.—Well, if you put the size limit at 9 inches, you will have to stop canning altogether. Professor Prince is in favour of putting the size limit at 9 inches.

Mr. BALCOM.—That means there will be no packing on this coast.

The COMMISSIONER.—Except intermittent packing.

Mr. BALCOM.—Of course, there will be some packed—those they cannot ship alive.

The COMMISSIONER.—What does it cost to pack a case of lobsters?

Mr. BALCOM.—A case will cost \$1.35 for cans.

Mr. HENLEY.—It looks to me as if the fishermen were getting too small a price. I am speaking from an independent standpoint, not being engaged now in the packing of lobsters, although I intend packing lobsters next year myself.

The COMMISSIONER.—Do you not think they ran the price too high the year before last, that they lost their heads?

Mr. HENLEY.—Yes, no doubt about that.

The COMMISSIONER.—And then they dropped the price too low this year.

Mr. HENLEY.—Yes, that is so.

Mr. SMILEY.—There wasn't any fixed price. We did not pay more than anybody else, and neither did you.

Mr. BALCOM.—Not at all. We did not pay more than \$2.50, but we paid 10 cents for 'markets,' and although there was a lot of kicking we kept on doing it. We sold at \$13.50 a case this spring, which was better than \$12, but we did not expect to get that.

The COMMISSIONER.—Mr. Henley, will you give evidence?

Mr. HENLEY.—No, I will not give evidence.

ALFRED LESLIE, fisherman, Spry Bay, called and sworn:—

By the Commissioner:

Q. Where do you fish from?—A. Spry Bay.

Q. How long have you been engaged in the fishery?—A. About 34 years, as near as I can get at it.

Q. Then you began with the industry pretty nearly?—A. Yes, I was a little boy then.

Q. What is the condition of the fishery to-day, in your opinion, as compared with what it was when you began?—A. It is not nearly as good.

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Q. To what do you attribute that failure?—A. Well, a good deal of it was from the taking of the seed lobsters.

Q. Would it not be over-fishing too, do you think?—A. Yes, that is partly the cause of it, too.

Q. Do you devote your time to any other branch of the fishery after the lobster fishing is over?—A. Not at the present time.

Q. At what time do you begin your lobster fishing?—A. On the first of April we set out.

Q. In what depth of water do you begin generally?—A. From 7 up to 11 fathoms.

Q. What number of traps do you fish?—A. From 150 to 175.

Q. Of course, you own your own boat and gear?—A. Yes, sometimes I fish two boats.

Q. Then you will increase your number of traps, I suppose?—A. Yes, about 300 traps.

Q. At what period of the fishery do you find it at its best?—A. About the 20th of May.

Q. Is it at its height then?—A. At its height.

Q. How long do you continue to fish in the outer waters where you first start?—A. Up till the last of June; well, we work inshore, we fish up to the headlands and then we work back again.

Q. You work inshore gradually?—A. Yes, and as soon as June comes on we work right in.

Q. You fish all single traps in here I believe?—A. Yes.

Q. And use all parlour traps?—A. Pretty much, yes.

Q. What proportion of your total catch will be below the 8 inch limit?—A. That is a pretty hard question to answer. The limit is 8½ inches, is it?

Q. Eight inches is the legal limit, but of course that has never been enforced.—A. My catch would not be very much below that, of course there will be some.

Q. Will it be one half or one fourth of the catch?—A. No, it will not be over 10 per cent in what I catch.

Q. What proportion of the total catch will be female lobsters, how many per hundred would you say?—A. Some seasons there are a great many female lobsters, more so than other seasons, that is with seed on them.

Q. We do not mean female lobsters without the seed but those showing the berry.—A. Well, I suppose this year there were not very many, I do not know, but I do not think I had more than about 3 per cent.

Q. What has been the practice here with regard to those lobsters, what has been done with them?—A. The most of the fishermen to-day, I think, throw them away, they liberate them; there may be some that do not, an odd one.

Q. That has not always been the practice?—A. No, it has not.

Q. Within what number of years was it that change took place? There has been a change on the part of the fishermen in that respect?—A. It is changing now every year, more and more; the fishermen see the folly of destroying the seed lobster, and they realize what it is going to result in.

Q. How would it affect you as a fisherman if the 8-inch limit were strictly enforced?—A. It would not affect me a bit, I would be very glad of it, that is just what is killing the business to-day; what is the use of keeping the seed lobster and packing all these little ones? It is not giving the lobsters a chance.

Q. You think that the 8-inch size limit should be enforced?—A. Sure.

Q. Where would you have it enforced, at the cannery?—A. Yes, at the cannery, that is the proper place to enforce it. If they did not take them at the cannery the fisherman could not get rid of them.

Q. As a means of enforcing the regulations, and in that way trying to protect the fishery, it has been suggested that the lobster fishermen should be compelled to register

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and take out a form of license, for which no fee will be required; but before fishing every lobster fisherman would have to obtain from the fishery overseer or other officer a printed form, bearing a number, and reciting the conditions under which the fishery was to be carried on, which the fisherman would have to sign. The idea of those who propose that, and we have found since we have been taking this evidence a number of people who entertain the same idea, is that the fisherman would feel himself absolutely obliged to live up to the terms of his license and that therefore he would be careful not only to observe the law himself but to see that his neighbours did the same, and if it were found that any fisherman was persistently breaking the law he would lose his license. Do you think that is workable, and that that could be done?—A. That is a good idea, that is practical.

Q. With reference to the licensing of canneries the policy of the Department for some years back has been to restrict the number of canning licenses with the idea that by so doing they were restricting the fishery, do you think it has had that effect?—A. No, it has not.

Q. The number of canneries operating has very little to do with the extent of the fishery, has it?—A. No.

Q. Would an increase in the number of canneries mean more fishing?—A. No, I do not think so.

Q. Of course there has been, as you know a great deal of friction, more in some places than in others, between the fishermen and the canners, as to the prices paid, and as a way out of the difficulty the department two years ago decided to issue co-operative licenses so that a number of fishermen, they fixed the number at 15, might by combining together obtain a license and can for themselves. Do you think that gives the fisherman a way out of the difficulty if he is not satisfied with the price he is getting, if he is able to group himself with a number of other fishermen and can for himself?—A. Yes, I believe that would be a way out of the difficulty.

Q. Do you think that is a fair way out of the difficulty as far as the fisherman is concerned?—A. Oh, yes, I think so.

Q. Or would you rather see every man that applied for a license get it?—A. Well, I do not know anything about that; of course, every one would not want a license.

Q. What is your own idea of the matter, do you think the individual fisherman would make more money canning than he would by selling his fish.—A. Not separately, that is why I believe possibly 13 or 14 coming together that way could do as well, they have the same chance, as the canner, that is my idea of it.

Q. Then you approve of the policy of the department, as far as that goes?—A. Oh, yes, sure.

Q. Has it been the practice to take to the cannery everything that has been caught?—A. Yes, sure.

Q. And you expect the canner to take everything that is delivered at the cannery?—A. Yes.

Q. Is it to your knowledge that the canners have ever objected to receiving the berried or the undersized fish?—A. The berried they have, but the undersized they have not.

Q. Where do they draw the limit as to the size, how small fish will they accept?—A. They take everything that comes; of course some fishermen will heave away the very little ones, and sometimes they will heave in two for one, but as a rule they take in everything that comes.

Q. How far down do you go?—A. I have seen them down to six inches.

Q. That is moderate, in some places they get hardly anything above 6 inches. Do you think that is due to the fact that you allow a larger space between the slats than they do in some places?—A. No, I think it is because there are no small lobsters here because the laths are close enough to hold them.

Q. How far are they apart?—A. The width of a hatchet.

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Q. That is a little less than an inch, is it not?—A. Yes, a little below that.

Q. Do you think that fixing the width between the laths at a greater distance would allow a fair proportion of small lobsters to escape?—A. Yes, I suppose it would, but it might allow some large ones to escape.

Q. You know in some places they are put three-quarters of an inch apart, and in others there is not more than a half inch between the slats, and that means that nothing can get out. It has been proposed by a good many who say that it is almost impossible to enforce the 8-inch limit—in the first place a great many canners and fishermen too have told us that its enforcement would put them out of business?—A. Yes, and if it is not enforced they will soon go out of business anyway, that is the way I look at it.

Q. It has been proposed that we should withdraw the size limit but insist on a certain opening between the slats, that we could regulate more easily in that way than by fixing the size limit?—A. You would have to go over every man's gear.

Q. Every man's gear would have to be examined before he put it in the water?—A. That makes a great deal of trouble, and I believe that if the 8-inch limit were to be enforced with the license it would stop it without attempting to regulate the slats, because one fellow will 'blow' on another, and will say to him, 'If you catch lobsters under 8 inches I will blow on you, because you are taking the meal out of my mouth.'

Q. Have you ever remarked the size of the smallest egg-bearing lobster you have seen?—A. I have seen them 9 inches, but very few.

Q. Have you ever seen them down to 7 inches?—A. I have never seen a lobster down to 7 inches with seed on.

Q. We got one this summer $7\frac{1}{2}$ inches with seed on?—A. I have never seen them as small as that.

Q. Have the regulations ever been enforced in this neighbourhood?—A. No, I do not think they ever were.

Q. Have you ever heard of anybody being fined for breaking the regulations?—A. Yes, they have been fined.

Q. For fishing out of season?—A. Yes, fishing out of season.

Q. Is there any of that done down here?—A. No, I believe not now.

Q. There has been?—A. Oh, yes, there has been.

Q. Has the practice of stripping the berried lobster ever been followed in this neighbourhood?—A. Oh, yes, it has been done.

Q. Have you any idea as to which is the most profitable branch of the fishery for the fisherman, the capturing of the market lobster, or the sale of the lobsters to the canner?—A. Well, no, I have not.

Q. You see it may be necessary in some places to so frame the regulations that one branch of the fishery may be encouraged and the other discouraged?—A. No, I do not know that I can form much idea on that.

Q. What proportion of your catch would be market lobsters?—A. I do not know what the average was this year, in fact I do not know how many I got this year.

Q. Is it a large proportion, do you think?—A. Yes, it is a fair proportion.

Q. Is it a quarter or one-third of the whole?—A. Oh, yes, it more than one-third.

Q. Would it be one-half?—A. Yes, it would be about one-half, taking the 9-inch.

Q. Have you any opinion to offer on the matter of hatcheries and pounds?—A. Well, I believe the hatchery is all right.

Q. You think a hatchery would be all right?—A. I believe it is a good thing.

Q. Do you know anything about pounds?—A. No, I do not.

Q. In the pound of course the lobster is brought in by the fisherman and is paid for, and is then taken charge of and put in the pound, where it is held until the close of the season; if she has hatched out before then, well and good, but if she has not she is liberated all the same. The requirements for a pound are a certain depth of

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clean salt water, with a clean bottom and means of fencing off the place easily. Next to putting the seed lobster back in the water as soon as she is caught the pound would seem to be the most natural method of breeding for her?—A. Yes.

Q. Many remedies have been proposed at various times by different people for the existing condition of affairs, first to close down altogether for four or five years in order to allow the fishery to recuperate; that is the quickest and certainly the most drastic way, what do you think about that?—A. I do not know what I would think myself of that, my idea is that we are fishing the wrong season of the year altogether; that is my idea, here you are fishing lobsters up to the last of June and there are no lobsters left for the seed.

Q. Some people say let us fish in September, October and November, and we will be clear of all that?—A. Well, the lobsters will have a chance to hatch out, that is sure, but now we are catching a lot of seed lobsters in the spring with no seed on them, but they would have seed on them in July and August.

Q. Many people differ on that, some say that the female lobster does not spawn every year; some fishermen who have experimented for themselves by shutting up the female lobster, tell us they have noticed there is no seed on them when they are shut up, but after a time the seed comes out. Some people say they spawn every year, some say they spawn twice a year and others say that they only spawn every second year, but the general opinion is that they spawn every year. What do you think is the spawning season of the lobster?—A. July and August is in my opinion.

Q. Is there any period of the fishery when you catch more female lobsters than at another?—A. Yes, I think about the 10th or the 15th of May, about the time the school of lobsters strike the shore, there appears to be more then.

Q. Do you think you get more female lobsters in shoal water than in deep water?—A. Yes.

Q. Do you think the lobster comes on shore to spawn?—A. Comes on shore to spawn and to shell.

Q. It has been alleged that in some instances the fishermen have suffered injury by the failure of those holding canning licenses to operate their factory, do you know of anything of that kind happening here?—A. Well, I do. There was one held back here this year though he had a license, we might as well have done a little better in price.

Q. Had he a license?—A. He was too late in getting his license, it was too late to open.

Q. But this is not the case of a man having his license and refusing to open his factory?—A. Oh, well, of course that would affect the fishermen.

Q. Has that happened in this neighbourhood?—A. No.

Q. Do you think there is any combination on the part of packers to keep the price down?—A. Well, I partly feel that way sometimes, yes.

Q. Of course, you have no proof of it definitely?—A. No.

Q. Now among the various propositions, I told you about the closing down altogether for a term of years, then the Lobster Commission in 1898, a number of gentlemen, Mr. Nickerson, of Clarke's Harbour, and Mr. Whitman, of Guysboro', and one or two others were appointed a commission of enquiry, and they came around the coast and as a result of their enquiries they recommended the closing down by sections, shutting off some 50 miles of coast at one time?—A. They would better have shut them off altogether, they have had too much time up there.

Q. Well, they propose to do that all around the coast, shutting off each section in turn, do you think that is workable?—A. I do not know how that would work, that would be a matter of consideration for some time.

Q. Then another proposition is to fix the size limit at 7 inches instead of 8 and try to enforce that; do you think we are any more likely to enforce a 7 than an 8 inch limit?—A. Not a bit.

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Q. Then another proposition is to shut off the size limit, regulate the trap, as I have told you, and cut off 10 days or a fortnight at the close of the season; the general opinion seems to be that it is towards the close of the season the greatest damage is done in the catching of the small and breeding lobster?—A. In my opinion it is.

Q. But you would rather enforce the size limit?—A. Yes, I would rather enforce the limit.

Q. And have the berried lobster provided for strictly in some way?—A. Sure.

Q. Is there, to your knowledge, any illegal fishing here after the close of the season?—A. Not to my knowledge.

Q. Was it ever done?—A. Yes, it was done.

Q. Do you know whether it is the case that a larger percentage of lobsters is required in the fall than in the month of May and June to fill a pound can?—A. I do not know that.

Q. They say it requires nearly 30 per cent more lobsters to furnish that amount of meat in the fall?—A. All I know is this much that the lobsters are larger in the fall than in the spring; it appears to me that there is a new school of lobsters altogether strikes the coast here in the fall different from that which comes in the spring.

Q. They are not the same?—A. They are not the same, no.

Q. Do you think that where the live lobster industry would appear to be the principle one, that branch of the industry should be favoured as against the canning? Do you think that the canning is the most destructive form of the fishery?—A. I do not know about that.

Q. Do you think it must be so since they can the small lobster?—A. Yes, that is so.

Q. The market trade will never injure the industry because they are all big and they cannot export the seed lobsters because they will not live?—A. Yes, that is so, they cannot ship the seed lobsters.

Q. Is there anything you would like to say yourself in addition to what you have already said? Your idea as I understand it, is to enforce the law as it is?—A. Sure, yes.

Mr. BALCOM.—If there is to be any limit at all, let it be a 9-inch limit, because the packers could not pack with what is left between the 8 and the 9 inches.

The COMMISSIONER.—What would the packers do then?

Mr. BALCOM.—The packers would retire altogether and let the fishermen ship their own fish.

WITNESS.—Those fishermen who have a co-operative license would ship all they could and then pack the others.

The COMMISSIONER.—Of course it will put the packers out of business on certain parts of the coast altogether.

Mr. BALCOM.—Yes, I guess it would.

The COMMISSIONER.—In fact they say that an 8-inch limit would do so.

Mr. BALCOM.—I know we would not operate with an 8-inch limit, we would have to close her up, the only thing is to take off the size limit.

WITNESS.—If you put the laths at a certain distance apart you will shut out the packers as well.

Mr. BALCOM.—A 6-inch lobster is all right, we can get along with that.

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The COMMISSIONER.—The canners tell us that the small lobsters are the most profitable ones to can, because there is more meat proportionately to the weight of shell.

Mr. BALCOM.—That is so, there is more money in packing the 6-inch lobsters than the 9-inch, we are not buying so much shell and we are getting better meat. On the north shore they can average the best part of a case on a thousand pounds of lobsters more than we can on this shore, and out of a thousand pounds of lobsters up there, that our boats will get in a day, they will not have 5 big ones of 10½ inches, and up on the north shore there are more lobsters to-day than there ever were; we are packing to-day over half as many more lobsters than we did when we started there 9 or 10 years ago.

Mr. SMILEY.—The hatchery has helped that out.

Mr. BALCOM.—But they are miles away from us, and right where the hatchery is there are not as many lobsters as there are where our factory is.

Witness discharged.

Commission adjourned.

BOARD OF TRADE ROOM,
HALIFAX, September 7, 1909.

Senator WILLIAM ROSS.—The great need is to protect the seed lobster; they are packing the lobsters in some places so small that as the Commissioner has informed us they take 12 to fill a one pound can, and the necessity is to keep them down to a certain size and to protect the seed lobster.

The COMMISSIONER.—The question is how is that to be done, is it by the establishment of hatcheries and pounds or by insisting upon the regulation being strictly observed? The size limit is a very difficult regulation to enforce, and so also is that relating to the berried lobster because the fisherman is in the habit of wiping the berries off out at sea, and it requires a very minute examination when they come inshore to tell whether that has been done.

Senator ROSS.—The trouble is our inspectors are so well known that before they can reach the factory their presence is known, and whatever is wrong in the factory is covered up before the inspector gets there. To be effective the officer wants to be more or less of a detective, the local man can hardly be expected to give information against his neighbour. I think it would be well to extend the time that we now have in Northern Cape Breton and the county of Inverness as the ice prevents the fishermen putting out their traps as early as they do on the other parts of the coast.

The COMMISSIONER.—The consensus of opinion everywhere appears to be that one of the most ready methods of preventing the destruction of the lobsters is to shorten the season generally, by taking a little off the end of it.

Senator ROSS.—I do not think you could shorten the season in Cape Breton because it is often the 20th of May before they begin. They begin fishing west of Halifax here on the 15th of December and continue till the end of May so that they can fish five and a half months continuously, whereas we in Cape Breton, under the most favourable circumstances, would not have more than three months.

The COMMISSIONER.—They very seldom have that, about two and a half months.

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Senator Ross.—Yes, two and a half months, and my impression is that that long season on the west coast would be calculated to reduce the supply of lobsters in the course of time, there would be over fishing as it were.

The COMMISSIONER.—The majority of the packers, and a good many fishermen, especially those men that are deep sea fishermen and take up other branches of the fishery at the close of the lobster fishery, are very generally in favour of some shortening of the season. The fishermen themselves say that they begin to slack off before the end of the season a couple of weeks, and the packers say they are obliged to keep open because the fishermen want them to, but that they would far rather be shut down.

Senator Ross.—Even with our fishermen when it comes the last week of July and the catch shortens they would just as soon take their traps up. I think it would be very desirable that the time should be extended on the northern shore of Cape Breton, and, if you can, adopt means by which you can preserve the seed lobster; Mr. Smith here is a packer, I do not know whether his Presbyterian conscience would prevent him packing small lobsters, he is not only a packer but an exporter too, and he will be able to give you a great deal of information I have no doubt in connection with the lobster fishery.

J. WILLIAM SMITH, of T. F. Smith & Co., packers, Halifax, called and sworn:—

By the Commissioner:

Q. How long have you been interested in the lobster packing industry?—A. As far as my knowldge carries me back, about twenty years.

Q. What canneries do you represent, or what canneries do you control at present, and where are they situated?—A. We have bought them out, as they would have to close them down as they were failures; we have seven that are now in active operation.

Q. What is about the amount of the pack annually?—A. It will exceed 4,000 cases annually, and then there is the export of live lobsters, probably 250 or 300 crates annually; those crates are 140 pounds each.

Q. From what points are those live lobsters exported?—A. From Halifax county and from Lunenburg county.

Q. Is it the case that that trade is one that is developing and increasing?—A. It is, as far as I know. Up to the present time we have evidence showing that it is increasing.

Q. Have the facilities improved in recent years for exporting live lobsters?—A. Yes, they have never been better.

Q. Are they all that they should be —A. I think that there are perhaps more men operating than there is business to warrant it.

Q. What is your opinion of the condition of the lobster fishery, how is it now compared with the condition when you first went into the business?—A. I do not think that, generally speaking, in the quantity of lobsters taken there is very much difference.

Q. Are you keeping up your pack by taking lobsters of a class that you would not have taken 20 years ago?—A. No, I think not; I think there is very little change in the size where we operate. Of course, in certain districts there always have been small lobsters and always will be, and there are others with a certain percentage of large. I see no difference.

Q. How would a strict enforcement of the regulations affect you as a canner?—A. That is as to the size limit?

Q. Yes?—A. Well, I firmly believe that if it were carried out generally we could not operate in canning lobsters.

Q. Was that always the case?—A. I think so.

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Q. In the case of your canneries, do you in any or all of them supply the boats and gear to the fishermen?—A. Yes, in Cumberland county only we do.

Q. As to the fishing side of the question, I suppose you have not much actual experience?—A. I have had a little. I have done some fishing in my day.

Q. Do you know whether the practice of stripping or washing the female lobster is generally followed by the fishermen?—A. That is a question I do not like to pass an opinion on, although I have heard of it, and I have an idea that it has been done, but I think the methods at the present time are better and that it is not done.

Q. How is it in your case, are you strict about receiving the berried lobster?—A. Yes, that is one thing we have enforced as far as possible.

Q. Have you always done so, or is it only in the more recent years?—A. We have always taken that step, but we have transgressed perhaps to a certain extent. We have liberated at one time over 3,000 lobsters. We bought and paid for them and liberated them at the close of the season.

Q. What, in your opinion and judgment, is the best way to proceed in order to protect that lobster?—A. By natural methods; I should say if hatcheries or pounds or anything could be built to save them in their natural way, it would be the better way.

Q. Well, is not the natural way the best?—A. The pounds would be the natural way. I am speaking now of the pounds and liberating them at the end of the season. But there is a better way. If the fishermen would liberate them on the spot there is no need of going to that expense, but they will not do that.

Q. Do you think there is any way by which we could get at the fishermen so that that would be done?—A. By common sense and enlightenment, much as the agricultural college would teach the farmer; have an instructor to teach the fisherman that it would be to his advantage.

Q. Do you think it would be wise to send a man to instruct the fishermen and help them in these matters?—A. It would be a good step.

Q. It was suggested by some witness at Ottawa last winter that the fee charged for a canner's license should be considerably increased with the view of raising a fund to provide for payment for the lobsters to be put in the pound and afterwards liberated, what do you think about that?—A. I think it would be a good step, and I would be willing to assist as far as I could in anything to assist the fishery, and would support any reasonable proposition.

Q. Do you think any attempt has ever been made to enforce the regulations within your recollection?—A. That is by the fishery officer?

Q. Yes, by the authorities?—A. Yes, I have known of cases where they have enforced the law.

Q. Do you think that is generally done?—A. I hardly think so; it is not properly carried out to the letter.

Q. What would you think of the proposed scheme of licensing all lobster fishermen, compelling them to take out a license before they begin in the spring. This would be a form of license for which, I suppose, there would not be any charge, but it would be given them by the fishery officer?—A. Without charge? I think it would be a good move, and have the fishermen bound down to observe the law.

Q. I suppose there would be a declaration, or, it may be, an oath attached to it?—A. That is in regard to the seed lobsters?

Q. With regard to the regulations whatever they might be?—A. Yes, of course. I have not known the fisherman to liberate any except the seed lobsters, only the seed lobsters, he would liberate them, but I do not think he could live at his vocation and liberate the undersized lobsters, what we term the small lobsters.

Q. Do you think it wise to continue to destroy these undersized lobsters, is it reasonable to do so?—A. It is a question in my mind which we should save, the large or the small ones.

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Q. At what size do you think the lobster has reached the age of reproduction?

—A. I am not quite clear on that point, it is a scientific question.

Q. Do you think it would be wise to destroy the lobster wholesale until it has reached that age?—A. Well perhaps it would not, but then perhaps we could can the small lobster and protect the large; what about that

Q. That has been suggested I see by one authority?—A. I can remember something of that I think.

Q. That is sacrificing the export trade for the sake of canning?—A. Yes, I do not think so much of the export trade; I think it is not helping this country or the fishery a great deal, because we are losing the productive lobsters or the large lobsters which would be productive.

Q. You do not export the berried lobster?—A. No, but still they would get berries in a certain season. I do not think there is a man living who knows when they do spawn, or at what time, or how much.

Q. I think it is pretty generally accepted that they generally spawn during the warm season, July and August.—A. Yes, I think it is during those months, but as regards conserving the supply I think it comes from the large more than from the small lobster.

Q. Do you think it would be possible to regulate the capture of small lobsters in any way by fixing a standard opening between the slats in the trap?—A. Well, I hardly know about that.

Q. We find in some places it has been narrowed down to a bare half inch?—A. We have tried that in plants that we have in Cumberland County, they would have to be pretty wide, and everything would go out then because a lobster can go through a pretty small opening.

Q. Along that shore they have gradually narrowed down their slats?—A. I am not in a position to say anything about that because it is some years since I have been there.

Q. Now as to the matter of licensing the canneries, do you think the policy of the department has been a wise one in restricting the number of licenses for canning?—A. That is a point I hardly know how to express myself on. I think, perhaps it has not worked out just as the department thought it would, in the interest of all, it is not to my own advantage to say so perhaps, but I would just as soon see everybody pack lobsters who thought of doing it.

Q. Do you think that an increase in the number of canneries would mean an increased fishery?—A. In certain sections it would, in others it would not, such as Halifax County and Cape Breton, but in Cumberland or Pictou County, known as the Northumberland Straits, it would, that is why we object to more licenses, we buy factories and shut them down.

Q. But that does not mean a decrease in the number of fishermen, there are as many fishermen fishing, and as much gear in the water as there is likely to be?—A. No, I think if you increase the number of licenses in those localities you will increase the number of gear and fishermen, others would come in.

Q. There does not seem to be any object in restricting the number of licenses if they do not restrict the gear as well?—A. I do not think it would be any advantage because a man can only attend to so many traps, and if a fisherman wants to make a good season's fishing he can work 250 traps if he is a worker, and if he is not he will not have as many.

Q. We have found men in a double handed boat who have fished as many as 375 or 400 traps.—A. Yes, one boat would carry two principals, but I do not know enough about that point to enable me to express a definite opinion.

Q. I suppose you are aware that a great many complaints have been made to the department by fishermen who complain they have not received justice at the hands of the canner? Do you think the policy of the department in issuing co-operative

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licenses is a right one, and that the fishermen have a right to expect if they are dissatisfied with the price they are receiving from the packer and if a certain number combine together, that they should be given a license to can for themselves?—A. Yes, that has been the case where I operated this summer in Cape Breton, but I do not think it has been any profit to the fishermen who have banded together, as far as my experience and knowledge carries me, this season.

Q. Do you think that is all the department can do in the way of satisfying the fishermen?—A. For my part I do not think anything could satisfy him in that way, even if you give him all as far as that is concerned. If it is the mind of the department to grant them licenses, perhaps they will be satisfied that way, they can work out their own profits and ideas, I think they have had the best of it.

Q. Do you think on the other hand it would not be well to grant a license to any man applying for it who shows his ability to put up a certain standard of cannery?—A. I do not think so, I think the quality of the lobsters today depends a great deal on the methods employed under the license system, and they are poor enough under that system in many cases, and I think the fishermen holding a license cannot pack lobsters equal to those engaged in packing, men who have made a study and practice of it.

Q. Do you think any standard should be established as to factories?—A. In number?

Q. No, but as to the quality, that we should insist upon inspection of the cannery in order to see that they are up to the standard, because many canneries we have visited are a long way from what they might be?—A. I am in favour of anything of that kind, I think it will be well to have an inspection of the canneries.

Q. Is there any reason why the canned product of the lobster canneries should be exempt for inspection such as there is on other canned food products nowadays?

A. No, with a competent inspector perhaps it would be a good thing; as you say all other foods are now subject to inspection, and a great many lobsters should be inspected, although it generally works out in the right way under the present system, because when they come here to be marketed if they are not up to the standard they do not go.

Q. You say that the condition of the lobster fishery to-day is as good as it ever was, and it does not need any protection?—A. There might be a slight decrease but I think there are more engaged in it, and more going into consumption; there may be some depletion in some ways, naturally there would be.

Q. In which branch of the industry do you think there is the most money for the fishermen where they can both be carried on, that is in the live lobster trade or in the canning?—A. I should think they would make more money in canning than in the live lobster trade if the lobsters are suitable in size and they get sufficient. Another feature is that the high prices bring a great many more into the business, and there is very little in it for anybody. I am speaking now of the export trade.

Q. Do you know that the canner is compelled to take the undersized and berried lobsters for fear of losing his fishermen?—A. I do not know about the berried lobsters, I will not speak as to that, but if one canner will not take them perhaps another will, and the fishermen have been known to change off in that way.

Q. Do you know whether there is much illegal fishing in this section? Is any fishing done after the close of the season?—A. Not to my mind in this county, that is as far as I know, but I am of opinion that a great deal has been carried on in Cumberland county. I have heard that in the district of Pugwash and Wales and down towards Cape John it has been done.

Q. Is it to your knowledge that lobsters packed out of season reach the market?—A. I could not say about them.

Q. Do you think that the system of attaching labels to the cases has been instrumental to a certain extent in preventing that?—A. I think to a certain extent it has, but I do not suppose there is any rule laid down that is not sometimes transgressed.

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Q. What is your opinion of the proposition to license the fishermen and then refuse licenses to those who are known to have violated the law, do you think that is workable?—A. In one sense he has as good a right to a license as myself or any other individual.

Q. I am not referring to licenses to pack, but to licenses to fish. It has been suggested that a man having taken out a license will be more apt to obey the law himself, and inform on his neighbour who violates it, and any man who violates the law would be refused a license and could not fish lobsters. Do you think that is workable or feasible?—A. I cannot say definitely, but I think that it could be worked, and perhaps that would be a means of saving a good many lobsters that are destroyed now, but I am not sure how it would work out.

Q. Has the number of canneries reached the maximum in the interest of the lobster industry, or should the issue of further canning licenses be discouraged?—A. I think it is, according to the supply.

Q. A variety of remedies has been suggested to the department, one is to shut down altogether for a term of years as being the best way out of the trouble. Of course the general opinion is that the lobster fishery is failing, and is failing continually?—A. Well I do not think that would be workable, it could be saved by other methods, shortening the season.

Q. You think that would be a pretty severe measure?—A. Yes, I think that will destroy the industry completely.

Q. You think the industry has not reached that point of depression which necessitates so severe a measure?—A. No.

Q. The Lobster Commission of 1898 among other things were in favour of closing down by sections, do you think that is workable?—A. No, I think not.

Q. When it has been suggested that we reduce the size limit from 8 inches down to 7. You know it was originally 9 inches all over?—A. Yes.

Q. Then they said if it were made 8 inches they would live up to the law, but they have not done so, and now they say make it 7 inches and we will live up to the regulation?—A. The canners must have something to do or leave the country. I should say make it 7 inches or have no size limit at all.

Q. Then there is no need of making it 7?—A. There is no need of making it 7 because I do not think the limit cuts very much figure, therefore I say preserve all the berried lobsters, and bring into operation all the means that can be utilized to increase the supply of lobsters such as hatcheries or pounds and in liberating the seed lobsters, those are methods that will help the industry.

Q. Other say do away with the size limit entirely and provide for a standard trap with a certain opening between the slats?—A. That would be a grave question, there are thousands and thousands of dollars invested in traps which the government might have to pay for and that they would not like to do. It would take a great many years to bring that about.

Q. What is the life of a trap?—A. In certain sections from 3 to 5 years perhaps, something has been done to preserve them, and you can make them last for 5 years with creosote and tar and things of that kind.

Q. Are they doing that?—A. Well, that can be done to preserve the life of a trap.

Q. Then the proposition is also to provide for the strict enforcement of the regulations as respects the egg lobster, and also that in exchange for doing away with the size limit altogether there should be a shortening of the season?—A. Yes, I am in favour of shortening the season because wherever we operate at the end of the season it is very unprofitable. For instance, I am speaking of Halifax county at the present time, I would be willing to see the season stop at the end of May, the month of June is unprofitable for us, both for the fisherman and for the packer alike, and the fisherman neglects other fisheries in which he could make a great deal more money. It would also preserve the berried lobster because that is the month in which we find the

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berried lobsters in greater numbers than at any other season and the fisherman could engage in the herring, in the mackerel and the cod fishing and it is in that month they lose their gear and we are compelled to operate at a loss. They would become compensated for the loss of that month's lobster fishing by the saving in their gear and by their other fishing.

Q. Do you think, generally speaking, it is during the last week of the season that the greatest injury has been done by the capture of small and berried lobsters when fishing in the shoal water?—A. Yes, I believe it is in the month of June in Halifax county, and in other districts it is during the last weeks of the season.

Q. What do you think of fall fishing? Some people have suggested shortening the season in the spring and fishing in the fall?—A. That has been my contention, take off the month of June and give them the equivalent in the fall, or let us give them the same season as on the western shore where they have five months against our three, but we only have two practically that are profitable. At present our fishermen are not in as good condition as they were years ago, there are more fishing and more extravagant ways of carrying on the work.

Q. You say give them the same season as the west shore?—A. I should think we ought to have the same season.

Q. Would you favour opening the season on the 1st of January?—A. I do not see why we should not.

Q. That is from Canso down?—A. We should have the same season as the western shore.

Q. There is no use doing that in the Straits of Northumberland?—A. No, that is for the southern shore of Nova Scotia.

Q. How far east and north would you go?—A. I suppose it is fair to give them all they like, those who could use the season would do so and those who could not would not.

Q. Of course Professor Prince, who is the head of our department, is in favour of having one season beginning on the 1st of January?—A. I know that the live lobster is worth more in the months of December, January and March than in April, May and June when there is an abundance on the market.

Q. What do you think of the policy of the department of encouraging fishermen to co-operate in canning?—A. Well, I am quite willing to see them go into it. I have no objection to make to that if it will help them because I can fit in some place.

Q. I do not think there is very much else I have to ask you, is there anything you think of yourself you would like to suggest? There is the matter of hatcheries we spoke of some time ago, would you favour the establishment of more hatcheries?—A. Yes, I am strongly in favour of it and of pounds also. A great many pounds could be built at little expense, there are certain places which are adapted for the purpose, and the berried lobsters should be bought from the fishermen by the government at a price, and kept in these places and fed and kept there until the end of the fishing season when they should be liberated, I think that would be a great help in every way.

Q. Did I hear that you are building a pound?—A. I have in mind doing so.

Q. We heard that somewhere on the coast I know?—A. Yes, there is a place there that is suitable and I am going to use it for my own private interest this coming season for the various fisheries, not the lobsters alone, but for other fish also.

Q. Do you think that the drop in price paid to the fishermen this last spring was fully justified by the condition of the market?—A. Yes, it was very much justified.

Witness discharged.

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RICHARD H. WILLIAMS, of Roberts, Simpson & Company, Halifax, called and sworn:—

By the Commissioner:—

Q. How long have your people been engaged in the lobster business?—A. Nearly 30 years.

Q. Do they own any canneries themselves?—A. They are interested in them.

Q. Have they any license for them?—A. Not in the name of the Robert Simpson Company.

Q. To make a long story short, what is your experience as to the condition of the fishery, do you think the fishery is falling in spite of the fact that the pack is being kept up? Is it being kept up by unfair means, do you think; by canning lobsters that would not have been canned years ago? If you can state that in your own words, it would be better than by any suggestion from me?—A. I can only give you a personal opinion on that.

Q. That is all right?—A. Personally, I think that there is a reduction in the catch from year to year, but it is very slight; and rather than keeping it up by unfair means of packing, I think there are less unfair means of packing than there were a few years ago; there is a better attempt now to protect the berried lobsters than there was then, and I do not think there is any more attempt to take the small lobsters than there used to be.

Q. Do you think that has always been done?—A. Yes, it has always been done; there has been more fuss made about fining the packers for the last two years, but I do not think that the amount of small lobsters taken the last few years has been greater than it was for the previous five or six years.

Q. Have you been out among the fishermen generally?—A. Yes.

Q. Is there a large quantity of poorly put up material thrown on the market?—A. There was a large quantity of goods that was depreciated, but very little now that is practically worthless to the same extent that there was a number of years ago.

Q. What do you mean by poor quality, carelessly put up?—A. Yes.

Q. Can you venture to say from your experience whether this occurs or in what particular districts, is it on the part largely of the smaller packers, do you think? It has been represented to the department that it is these little packers scattered here and there, who have poor establishments and do not take the necessary precaution and care of the meat and the packing of it, and that the licenses issued to these people should not be issued, or that they should be subject to some kind of inspection in the cannery which would compel them to do their work up to a certain standard?—A. In some sections there has been quite a lot of poor packing on account of the prevalence of these small packers. I have in mind now some of those districts.

Q. Would it be going too far for you to tell us the district?—A. I do not want to prejudice any particular district or province.

Q. Can you say in a general way; we have an idea?—A. The whole of the New Brunswick north shore.

Q. I suppose it is particularly in that region where they can up to the middle of August?—A. Yes, I think that has improved in the last few years.

Q. Do you think anything would be gained by an official inspection of the pack?—A. I think it would be if you could get an official staff who would be competent.

Q. Do you think the present staff would be competent, or would it need an expert?—A. It would mean the employment of experts.

Q. But you think it would be a benefit to the industry if an official inspection, such as is held in other industries—pork, flour and other canned goods—were insisted upon for the canned lobster?—A. I do not know that an official inspector could accomplish it, because for the different markets we require a different quality; each market has its own preference.

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Q. But that would be perfectly within the ability of a competent inspector who understood all that, would it not? Is it the case that these quarter pound flats that are put up nowadays require small lobsters?—A. Not altogether.

Q. Some packers tell us they cannot put large meat in these small cans?—A. Mr. Payzant has packed this past season 5,000 cases of large lobsters, and the whole of his pack was put in quarter pound tins. It is possible he can explain to us about that.

Q. What do you think would be the result of a strict enforcement of the 8-inch limit?—A. In some districts it would mean the closing of the factories entirely.

Q. Are there other districts where it would not happen?—A. I do not think it would happen in the district west of Halifax. I do not think it would happen from Canso to Halifax.

Q. Do you think that it would be a wise thing on the part of the department to insist strictly on the enforcement of the limit with a view to protecting the industry?—A. No, I do not. It would reduce the quantity packed, and that would only increase the cost of putting up what is packed, which would make it unprofitable.

Q. Do you think it wise to continue packing immature lobsters? Do you not think it must end in disaster if you destroy the lobster before it reaches the age of maturity?—A. I do not just exactly know the meaning of the word 'immature' in that respect.

Q. The size of reproduction is supposed to be limited to 8 inches, and although you will find the berried lobster under that, it will be very rarely?—A. I think 8 inches is too large a size to limit the packing.

Q. Would we be any better off at 7 inches?—A. Yes, we will be better off, considerably better off.

Q. Do you think it would be any more possible to enforce the law at 7 inches than it is at 8 inches?—A. It would not be altogether possible, it would be easier to enforce the law at 7 than 8 inches.

Q. What do you think of the proposition to do away with the size limit altogether and provide for the escape of a neat proportion of the small lobsters by insisting on a standard trap, is there anything in that?—A. I do not know enough about it to speak about the traps; the impression in places like Cape Breton used to be that with a season of three months at the utmost, or practically three months on the average, that in itself is sufficient protection of the lobster to permit of canning.

Q. Do you think we can venture to shorten the season materially, we have the evidence of a good many canners, and large canners at that, who say, 'Give us two months' packing and that is all we want.'—A. There are some who would wish for three months.

Q. Some no doubt would wish five months?—A. I mean this way that some of the people who are advocating two months are showing a certain amount of selfishness; it is not so much the protection that it is going to give the industry as the better results to themselves from packing for two months only. They advocate fishing lobsters for two months and the fishermen would lose all the fish for the other month. There are some lobster fishermen who want three months because they do not go into the other fisheries and it would be an injustice to those fishermen to cut them off.

Q. But on the question of preserving and protecting the fishery do you not think it is possible for them to find some other means of occupying themselves for the other month?—A. Those who are in favour of the two months' season will argue that it is because the lobsters are not as plentiful, well now, if they are not as plentiful they will not get as many.

Q. Do you not think it is within the last two weeks of the fishery that the greatest damage is done by the catching of the spawning and the small fish, and do you not think that it is the very shoal water fishing at the tag end of the season that is doing the greatest injury to the fishery?—A. They do not all fish in shoal water.

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Q. Nearly all of them come into shoal water at the end of the season; the tendency is to go out to deep water at the beginning and to follow the lobsters in?—A. I do not see how it can be any more injurious to the industry in catching the female lobster in the third month than it is in the first or second, it may be more noticeable that in that period you are taking the berried or female lobster.

Q. That depends largely upon the question whether the female lobster comes into shore to spawn or not. Do you think she does?—A. I am not able to say.

Q. Do you think that an increase in the number of canneries would result in an increased catch of undersized lobsters?—A. To some extent, yes.

Q. You think there will be more fishing if you have more canneries? Do you not think there is almost as much gear in the water now as there is room for?—A. Yes, but there is some respect towards the size limit in certain sections that will disappear entirely if there are more factories to take the output.

Q. Do you not think an increase in the number of canneries would simply mean that the same amount of fishing would be done, and that the catch would be split up among a larger number of canneries?—A. In some districts it would mean that, but when you get around to the North shore where the packers fit out so many fishermen themselves, then I think there will be more.

Q. Do you think that where it would be possible the cannery would be doing that it would be advisable to limit the amount of gear to the license?—A. I am afraid that limiting the amount of gear would create just about the same feeling among the fishermen as there is to-day on the question of limiting the number of licenses.

Q. Do you think where facilities exist for carrying it on there is more money for the fishermen in the live lobster trade than there is in the canning?—A. From Halifax west I think there is.

Q. In that case do you think it would be wise to so frame the regulation as to favour the one at the expense of the other?—A. No, I do not think so.

Q. Which do you think is the most destructive of the two forms of the fishery, that for canning purposes or that for the export alive?—A. Well, they both go together as far as I know.

Q. In the one case you have a standard size of fully developed lobsters?—A. Yes.

Q. And it is much easier to check the matter in the live lobster business than it is in the cannery?—A. It is easier to check the live lobster business as regards the size limit, certainly.

Q. And the berried lobsters are no good for export alive, are they? Is it the case that they do not stand transport as well?—A. I do not think they attempt to ship them.

Q. Can they ship them even if the berries have been brushed off?—A. I think they can, I do not know and I do not like to be too positive on that point.

Q. Judging from the information we have from fishermen it seems that once a lobster has been brushed off, especially if she has been roughly brushed, she will not survive very long?—A. In doing the fresh lobster business in western Canada we have frequently received requests from customers at hotels and different places, asking for lobsters with berries on.

Q. They mean lobsters that carry them, not lobsters with berries on their tails. They get a certain percentage of that kind now, I think the epicures prefer the female lobster?—A. Yes.

Q. What are your own suggestions as to the regulations that should be enacted for the preservation of the fisheries? Various remedies have been suggested to the department at different times?—A. I have no suggestions to make, I did not come prepared to make any statement on the point.

Q. Have you gone into the matter of hatcheries?—A. Yes, I have seen the Baker pound.

Q. What do you think of it as a method of protecting the lobster?—A. I think well of it, I notice in going along the shore that the prejudice against the pound

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arises from the people who have never seen the pound, and that it is more a personal prejudice rather than against the pound itself.

Q. That personal prejudice is quite a recent one is it not?—A. It has existed for some time. Locally, that is immediately around L'Archeveque and Gabarus, the prejudice has been recent, but in Main-a-dieu it has been of some standing.

Q. Would you favour the establishment of pounds in other places, and do you think they should be run by the department officials rather than by private individuals?—A. I think it would give more satisfaction to the fishermen if they were run by the department.

Q. What do you think of this proposed method of licensing the fishermen?—A. I see the danger of the same dissatisfaction that has been created about the cannery licenses. They argue now that it is an injustice to say to one man in the harbour, 'You shall not pack lobsters.' And to another, 'You may.' To say to one fisherman, 'You shall fish lobsters,' and say to another, 'You shall not.' There would be dissatisfaction. Then again with regard to the punishment for infringement of the law, there is danger of personal feeling on the part of the local fishery officer against the fishermen. I would not say that it is so, but there is that danger that one fishery inspector or local fishery officer might be good friends with a certain fisherman and would overlook some of his infractions, while he would not overlook it in the case of another man.

Q. Do you think the regulations have ever been enforced, that any attempt has ever been made to enforce them?—A. Yes, in some places.

Q. Recently?—A. Well, I think during the last five years; Mr. Paysant of Lockport was in circumstances where he had to pack legal lobsters, he tried hard to get all legal ones, and I think one season he did get all legal ones.

Q. Do you think the existing penalties are sufficient if they are enforced?—A. I do not know what limit there was to them; the fines I have heard of ranged from \$10 to \$100, and sometimes more.

Q. I do not exactly understand what you mean by limiting penalties. Are the existing penalties sufficient if they were enforced, that is the fine provided? I think they do not generally exceed \$20, the average fines, do they?—A. I saw in the paper the last few days about a fine of \$100 for something. \$20 fine, it seems to me in the case of a fisherman would be quite large enough and in the case of the packers would not be very large.

Q. Do you think that in the event of persistent violation of the regulations the license to can might be cancelled?—A. Yes, but there seem to be a good many ways of overcoming that, even without changing the license.

Q. Do you think that the number of canneries has reached the maximum. Having in view the preservation of the lobster industry, should the issuance of further licenses be discouraged?—A. Yes.

Q. What, in your opinion, would be the ultimate effect of a shorter open season without any restrictions as to the size limit?—A. I think it would be beneficial.

Q. Would you favour a universal close season for the whole Atlantic coast from July 15 to January 1st?—A. It would be very hard for the people in the Cape Tormentine section.

Q. I said for the Atlantic coast?—A. It would be an injustice to the people west of Halifax who now have fishing from the 15th of December to the 1st of January.

Q. That is the suggestion of Professor Prince who favours one universal season. What do you think of fall fishing, having a shorter spring season followed by a fall fishing season?—A. I do not think it would meet with favour from either fishermen or packers; it would give them the expense of fitting up for two seasons in one year.

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Q. What would you think in that part of the Straits of Northumberland where they at present fish up to the 15th of August, of changing the season there from the spring to the fall, and having no spring fishing?—A. As long as you can make a dividing line between the two sections.

Q. There is a dividing line at present.—A. But it is easy to cross the line.

Q. You might say the same with regard to all these sections, that it is easy to cross the line; you have your line drawn from Shockfish river, N.B., to Westpoint, P.E.I., to one drawn from Indian Head, N.B., to Cape Traverse, P.E.I., and there they fish from the 25th of May to the 10th of August. A great many people have suggested—mind you I am not offering you any opinion myself, in anything I may say—that there the season could be changed to a fall season of two or three months?—A. It seems to me that some of the fishermen would be able to get both the spring fishing and the fall fishing by being on one side of the line in the spring and on the other side of the line in the fall.

Q. Is that the only change you have to offer in respect to that matter? That is the very district you referred to as the one in which they are putting out small and inferior lobsters.—A. I do not know of any other.

Q. The fishermen generally are in favour of the change along that shore, but the canners object to it because they say it would interfere with the normal conditions, to throw their fall pack on the market. Would that be the case?—A. To some extent it would, there is always an uncertainty in connection with the Magdalen Islands at present, as to what the amount of the pack will be, during the month of September it keeps the market in an unsettled state.

Q. I do not know there is very much more. I want to ask you, if you can give us that statement showing the market conditions for the last four or five years it will be quite enough for our purpose.—A. That is if we can.

Q. To show whether the drop in these prices was justified by the market conditions or not?—A. Yes.

Q. There is one other matter that I might ask you about perhaps, a great deal has been said about the issuing of licenses to aliens, what is your opinion about that?—

A. I do not know that the so-called aliens are any worse than ourselves.

Q. They were the pioneers in the business were they not?—A. Many of them were.

Q. I think on the greater part of the coast they were, and as I understand it, it is only their capital invested in the canneries that is alien, the canneries are generally built and operated by Canadians, are they not?—A. Yes, I think so.

Q. And they employ Canadian fishermen?—A. Yes.

Q. I will be glad if you will forward me that statement so that it can be embodied in the evidence?—A. I will do so.

Witness discharged.

(Statement subsequently filed by Mr. Williams as follows):—

September 7, 1909.

Commander WAKEHAM,

Commissioner, Lobster Fishery Inquiry.

SIR,—As requested by you we beg to submit the following information regarding the lobster markets in the springs of the last five years; basing our statistics on the prices contracted for and paid at Halifax to lobster packers for half pound flat lobsters, 96 x $\frac{1}{2}$ s., during the months from January to April in each year subdividing the prices into two classes representing (a) Atlantic coast packs, and (b) gulf packs.

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	' A.'	' B.'
In 1905..	\$13 00 to \$13 25	\$12 00 to \$12 50
1906..	13 50 to 13 75	12 50 to 13 00
1907..	14 75 to 15 20	12 50 to 13 50
1908..	17 00 to 17 50	15 00 to 16 00
1909..	12 00 to 12 75	11 00 to 12 00

The prices fluctuated during the summer months of each season, but showed a greater increase in the latter part of 1907 than usual, so that a greater advance was noticeable in the prices at the beginning of 1908.

During the summer of 1908 the prices fell very materially caused by various reasons partly because of (1) An increase of about 10 per cent in the total pack (2) the financial depression in the United States and Europe, but principally because of (3) a reaction in the trade on finding that the high prices during the previous winter had considerably curtailed the demand and consumption.

In the winter of 1908-9 large stocks remained in buyers and consignees hands unsold and prices were very materially lowered. The prospects for 1909 did not justify buyers contracting at higher prices than shown in the figures given above although an improvement in the prices has since been noted.

We are, sir,
Your obedient servants,

ROBERTS, SIMPSON & CO.

HAIFAX, N.S., October 16, 1909.

COMMANDER W. WAKEHAM,
Commissioner, Lobster Fishery Inquiry,
Gaspé.

SIR,—As the writer stated to you upon examination before the commission in Halifax on the 7th ult. that we were unable to reply to your questions on behalf of the firm because of our senior's absence in England, we forwarded him a copy of the evidence taken before the committee at Ottawa during the last session along with an outline of some of the questions asked by you, and it occurs to us that the following remarks from his answer to us may be of interest to you:—

On perusal of the printed report 'the testimony of the different witnesses is very conflicting and evidently most of the witnesses had merely in their minds when giving their testimony their own particular interests in their own districts which would not be applicable to other districts.' We believe that such of the evidence as indicates a conflict between the lobster fishermen, packers and buyers, only exists in isolated cases and 'generally speaking the best of feeling exists between packers and fishermen.'

As to your question whether legislation should be made to favour the live lobster business rather than the canning branch of the industry, our opinion is that from Halifax westward the two branches are about equal in importance, but in all other sections the canning business is of greater importance to the fisherman. As to the length of the season, 'we advocate no change in the season whatever.' The regulations as to the length of the season appear to us to answer the purposes of maintaining the supply which is more affected by weather conditions than over-fishing.

Replying to the questions regarding pounds: 'we consider these an advantage, but think they should be the property of the government and their officials could thus control the seed lobster and the young.'

With reference to your questions regarding a fall season in Shediac and Cape Tormentine districts, 'our opinion is that the markets are liable to get disorganized if

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the seasons cannot be counted on as closing at fixed periods and extensions and rumours of same have a deterrent effect on market operations.'

We are, sir,
Your obedient servants,

ROBERTS, SIMPSON & CO.,
Per Richard H. Williams.

HALIFAX, NOVA SCOTIA, October 29, 1909.

Commander W. WAKEHAM, M.D.,
Commissioner, Lobster Fishery Inquiry,
Gaspé Basin, P.Q.

SIR,—Below we beg to hand you statistics of canned lobsters exported from Halifax, Yarmouth and Charlottetown since 1904, carefully compiled for our own use from statistics furnished by the various transportation companies and which having been compared and checked with the arrivals at foreign ports by our European house, are considered by us to be as accurate as it is now possible to have them made.

A perusal of the same will, we believe, aid you in the work of your present inquiry, and when considered in connection with the larger trade that is being done annually in shipping fresh lobsters to Canadian and American markets, especially since the passage of the 'Nine-Inch' Law in Massachusetts early in 1907, will show that there is no material decrease in the catch of lobsters in these provinces during the past five or six years excepting in seasons when the weather has been particularly stormy, such as 1906 and 1909.

—	Packages.	Estimated Cases equal to 48 lbs. net.	—	—	—
1904.....	200,639	175,125	.....	175,125	
1905... .	193,255	169,814	.....	169,814	
1906 ..	158,445	140,774	About 15,000 cases went via Montreal that in previous seasons were shipped via Halifax.	155,874	Rough season.
1907.....	176,555	158,351	.....	158,351	Mass. 9 inch law in effect.
1908... .	172,084	152,765	About 18,000 cases un- shipped at end of year.	170,765	" "
1909	155,204	137,560	Deduct 1908 goods ship- ped in 1909 and add goods still to go for- ward (estimated).	132,560	" " and rough season.
		Average for	past 6 years	160,415	

All of which is respectfully submitted.

Your obedient servants,

ROBERTS, SIMPSON & CO.,
Per Richard H. Williams.

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RAYMOND PAYSANT, packer, Lockeport, called and sworn:—

By the Commissioner:

Q. How many canneries do you operate?—A. One.

Q. And it is situated where?—A. At Lockeport, I am the manager for the Canadian Atlantic Canning Company.

Q. How many years have you been operating?—A. About 10 years.

Q. What has been your average pack?—A. Well, perhaps 1,500 cases.

Q. We understand from the last witness that you have been putting up entirely these small tins?—A. The bulk of the pack for the last two years.

Q. It was stated to us by some canners, as a reason why they should can small lobsters, that if they could not can the small ones they could not put up the small profitable tins, is that the case?—A. No, lobsters from 9 inches and upwards are shipped to Boston but we get a proportion of them that are mutilated, and in isolated cases the fishermen have not the facilities for shipping, and we get the large lobsters from them and I think that any lobster from 9 to 10 inches will fit in the quarter pound flats.

Q. The quarter pound flats are not any different from the other tins except that they are lower?—A. They are lower, but they are of about the same proportion as the half pound tins.

Q. But it is half the height?—A. A little more than one half the height.

Q. What is the condition of the fishery with you now as compared with what it was?—A. It holds up all right.

Q. You notice no deterioration there?—A. No, I do not think so.

Q. What has been the practice there with regard to the berried lobster?—A. We do not see any berried lobsters at all, our season is from the middle of December to the end of May.

Q. They have not come in before the season closes?—A. They do not appear.

Q. They have not shed their eggs?—A. I do not think so, I only remember seeing one berried lobster last season.

Q. And as to the immature or undersized lobsters, what has been the practice?—A. The practice the last few years has been to take them.

Q. Was it not the practice previously?—A. Not in our particular locality.

Q. Why was that?—A. The law was pretty strictly enforced.

Q. Is the lobster fishery being carried on to-day with you much more extensively than it formerly was? Have the fishermen to increase the amount of their gear?—A. Yes, there is a considerable increase.

Q. The fishermen own their own boats and gear altogether?—A. Yes.

Q. It is not the practice of the canners to supply any of the outfit?—A. No.

Q. How are the fishermen paid there for all under 9 inches, by weight or by count?—A. In some instances we buy by weight. In the co-operative factory at Little Harbour, they operated this year, they bought by weight. All the other canners in Queens and Shelburne buy by count, and the practice is to take undersized lobsters two for one.

Q. How small lobsters will they can?—A. They are down to six inches anyway.

Q. Have you any idea how many six inch lobsters it would take to fill a pound can?—A. Well, really I do not know.

Q. We understand by actual measurement it takes nine 7 inch lobsters to make a pound can?—A. Yes, I suppose it would. In my opinion that is all right, and it would take probably 12 of the 6 inch.

Q. There was one other matter you want to explain as to the season?—A. Yes, Mr. Smith mentioned the fact of wanting the same season all along the south shore of Nova Scotia, he did not see any objection to that, but I would deplore the shortening of the season in the fall on our shore for this reason that the 15 days we have now in December is worth all the months of January, February and March, from a com-

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mercial standpoint; I do not know how it affects the lobster fishery, but the lobsters then are more plentiful, the weather is more suitable, and the price is much better than for live lobsters.

Q. It is only in your section that the December fishing exists?—A. West of Halifax at the present time the season is from the 15th of December until the end of May. Now, if Professor Prince's suggestion is adopted, and you take off the 15 days in December, you might just as well cut out the fishing up to the 15th of April.

Q. The January, February and March fishing is no good?—A. Absolutely no good.

Q. The weather is rough?—A. Yes, and the lobsters are not on the shore.

Q. Do you think they are backed off?—A. The school that comes in in December are caught up, and then we have to wait until favourable weather in the spring to catch more.

Q. Is not that the case in Charlotte county also?—A. I do not know anything about that.

Q. Or in Digby county?—A. Yes, the Digby shore line is very straight and abrupt, and they cannot possibly do the business there that we can, because we are more or less protected by the islands in the harbour. West of Yarmouth the shore is very straight.

Q. Is there any December fishing done in this neighbourhood between Halifax and Yarmouth?—A. Yes, it is done here.

Q. It is not confined to that particular neighbourhood, but all along here?—A. Yes, I understand it is as valuable here in this county as it would be with us.

Q. There is a general complaint east of here that your fishing is unfairly long compared with what they can do themselves?—A. Yes, we have the privilege of fishing from the 15th of December to the end of May, but as a matter of fact there are only two months of that period that are really suitable and in which the business is prosecuted to any extent. Of course, in January, February and March there is really very little fishing.

Q. How would it affect you to cut off the latter part of the season somewhat?—A. In May?

Q. Yes?—A. That would be a hardship; but I do not see why people should be so alarmed about this lobster story. We have become alarmed over the state of affairs. In Maine, where they fish all the year round, they have a 10½-inch limit, but it has never been observed.

Q. Is it not more strictly observed now?—A. I do not think so. It is not if the reports are true as to the taking and selling of small lobsters. The canners have gone out of business, but the lobsters are caught and sold right down to 9 inches, and perhaps smaller.

Q. So you do not think any change should be made in the season as it exists?—A. I do not think there is any necessity for the preservation of the industry; the lobsters have ample time to breed.

Q. Do you think there is any necessity in that particular district of encouraging the live lobster industry as against the canning?—A. Well, the two features of the business are one in point of importance; the fishermen, I fancy, want them both; they are not at war at all. Let the fishermen ship their live lobsters if they wish, and at the same time during the season they sell to the canners. Without the canning industry the fishermen would, I think, be very badly off; and of course the American market takes all the large lobsters, and in fact a great many 9-inch ones now, but down to 10 inches anyway, from our section; that is all right.

Q. How would it affect you if we strictly enforced the law and the 9-inch limit?—A. It would close up the factories—when I say it would close them up, it would practically do so.

Q. Do you think it wise to continue allowing you to destroy the small lobsters?—A. I really can see no reason for alarm; the lobsters multiply very fast, and it

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does not look to me that there is any diminution of quantity. There is just as large a proportion of big lobsters as there used to be.

Q. Is that live lobster trade increasing?—A. Yes; and in Massachusetts the market is open now to 9-inch lobsters.

Q. As to this question of hatcheries and pounds, have you any opinion to offer?—A. I do not know anything about them at all.

Q. Would you suggest an increase in the number of hatcheries, or the establishment of pounds where it is possible to do it?—A. I really do not know anything about it, but I have an idea that pounds could be made profitable if the government would permit the dealers or fishermen, anybody in fact, to store lobsters and market them after the spawning season or after the shedding season. Now, our lobsters during the months of April and May are sold to the American smacks, a number of the larger ones—10½ inches—and they are taken over to the United States, in Maine, where they have large pounds, and these people store them and market them later on when the price is high.

Q. Well, is it the case with you that the berried lobsters are sold to these smacks, and that they are taken over to the United States and held there?—A. No, from the fact that there are no berried lobsters caught in our season.

Q. They state that it is the practice in Charlotte county, I understand?—A. May I be allowed to say that if the government will tolerate the handling of lobsters in the same manner as they do in the State of Maine, let a man who wished store the lobsters in the pound and keep them until he could market them himself.

Q. That is, follow the same practice as in Maine?—A. Certainly, it would not injure the lobster fishery, and it would help out the trade. It is estimated that \$1,000,000 worth of lobsters are taken from the western coast and shipped to the United States during the season, and those same fish if kept until September will bring \$3,000,000.

Q. What is your own idea about this matter of licensing the fishermen as proposed?—A. I do not know, I am sure, there is no necessity for it, at least I do not think there is, it is only creating a lot of new machinery, I think it would be a hardship and I would not care for it.

Witness discharged.

D. T. LESLIE, canner, Halifax, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the packing industry?—A. Well, for myself I have been engaged since 1886, now altogether 24 years.

Q. What number of canneries are you licensed for or interested in?—A. Eight.

Q. Where are they situated?—A. Between Halifax and Sydney.

Q. All on the Atlantic coast?—A. All on the Atlantic coast.

Q. Do you supply your fishermen with boats and gear or do they supply their own?—A. They own them all, we have sometimes supplied them with rope, &c., but they own them all.

Q. What is the total amount of your pack?—A. The average?

Q. The average, approximately.—A. Four thousand five hundred cases, I suppose.

Q. Have you been packing that same amount steadily or has it decreased or increased? How is the pack to-day compared with what it was when you began?—A. We did not pack so many this year. I would say 4,000 would be about the average, but there were times when we packed 8,000 or 9,000, we had a few more canneries then.

Q. Are you employing more fishermen, and do they represent more gear?—A. No more fishermen, I think, but more gear.

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Q. Would you say it takes a larger amount of gear to keep up your supply than it did a few years ago?—A. I would say it does.

Q. What, in your opinion, is the condition of the fishery to-day compared with what it was when you began?—A. The lobsters are scarcer.

Q. Do you think they are decreasing in size so much as in quantity?—A. Not so much in size.

Q. What are you inclined to think is the spawning season for the lobster?—A. I think in August. I can remember we did not have any trouble with these spawning lobsters on this coast up until the end or the middle of July, there would be very few up to that time, but in August there would be lots of them.

Q. Within your experience does it take a greater weight of lobsters to fill a pound can in the fall than it does in the spring? Some people say it will require nearly 30 per cent more?—A. In the early fall, I have not had much experience, but it takes quite a lot more.

Q. After they are recovered from soft-shelling they are better.—A. Yes, later in the fall the lobsters are better in meat.

Q. Talking about the fall, what would be your opinion on the matter of fall fishing?—A. I would not like to see it except in certain localities; if the spring fishery were altogether done away with it might be continued in this district, I would not be at all in favour of two seasons.

Q. Not in some places?—A. No.

Q. Do you think the lobsters approach the shore for the purpose of spawning?—A. I do not think they do, but I have no means of knowing.

Q. Do we not get a larger proportion of spawn and undersized lobsters late in the season close in shore than at any other time?—A. No, for the last few years we very seldom see anything like a spawn lobster, the fishermen that we have to deal with seem to obey the law very thoroughly in that matter; very, very seldom do we see one spawn lobster.

Q. Do you think the fishermen generally are beginning to see that they must protect the seed lobster?—A. Yes, I am sure they do on the Atlantic coast.

Q. What do you think of the proposition to license the fishermen?—A. I think it would be altogether a fair and reasonable thing to do, if it does not injure the business generally.

Q. I do not mean the license to can, but to license the fishermen to fish?—A. I would not favour it at all.

Q. You would take some other means of enforcing the regulations?—A. Yes.

Q. How would it affect you if the regulations as they stand were strictly enforced?—A. It would pretty well close us—You mean as to the size limit? We would not be able to get lobsters enough to operate.

Q. Have you any idea what proportion of the lobsters you take would be under the standard limit?—A. It is an 8-inch limit is it not?

Q. Yes?—A. In number I would think they would be pretty nearly one-half but not in quantity, in weight.

Q. What would you think of that other proposition of sending somebody around to educate the fishermen the same as they do in the Department of Agriculture with the farmers?—A. In what way?

Q. To get them together and explain to them the conditions, the falling off in the industry, and the regulations, especially so far as the berried lobsters are concerned?—A. I think it would be all right, but I think they are already educated on the Atlantic coast, I am pretty sure that 99 out of every hundred fishermen would let the berried lobster go at once, that is the ones we have to deal with.

Q. You think the practice of brushing the berries off is not practiced to any extent?—A. Not to any extent, no.

Q. Have you any suggestion or proposition to make with regard to the regulations?—A. No, I have not except to say that rather than make a change in the size

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limit, which has more effect on the business than anything else, I would shorten the season for the sake of protection, and I would go further and say that instead of having the season from here east in the months of April and May, I would have it in the months of May and June; I would take it off the first end of the season instead of the last.

Q. What would be the object in doing that?—A. One of the objects would be that very often it is the case that April is a stormy month, and it is poor weather to fish, and they would have a much better and an easier time to catch the fish, which is the object I had in view, and then the lobsters are more profitable in June for the packer and the fishermen, but, of course——

Q. That would not be with any view of the protection of the lobster?—A. The only protection is that the lobster requires a shorter season and the liberation of the berried lobsters.

Q. Do you think that not fishing in April you would catch a great many more lobsters in May?—A. I would hope so, and that is the reason it would be more profitable and more sensible to my mind.

Q. I do not know how that would be from the point of view of saving the lobsters?—A. If you did not catch so many lobsters in the two months it would be. As to the continual taking of small lobsters I do not know why it was ever brought to your notice, or to the notice of the Government either. It has struck me, and I have heard it spoken of too, that the catching of these small lobsters day after day, and putting them over, is really more waste and injury to the industry than the canning of them. You catch the same lobster a hundred times over during the season, you keep him in the boat for a while, you measure him and lay hold of him, and he is injured, and there is really more waste and injury to the fish than the canning of a certain number of them would be.

Q. If there is a decrease in the fishery as you suggest, to what is it due?—A. The decrease in the fishery?

Q. Yes?—A. Oh well, to overfishing.

Q. Do you think that the different size limits and different seasons in adjoining sections of the coast are unsatisfactory and encourage violations of the law?—A. No, I do not think so. We have to deal with two or three divisional points at this place, at Point Michaud, and at another point, but I remember Point Michaud particularly, that would be one point where you would think the different seasons and limits would interfere with the fishing, but they do not, the fishermen in this district stop fishing and do not go over the limit.

Q. Is there any particular reason for having a smaller size limit in one district than in another?—A. Yes, I think so. I think that they are naturally larger in one district than in another. I had them examined by Mr. Bertram at one time and we proved that in a certain section of Cape Breton you could find a large percentage of lobsters that never reached the legal limit of size.

Q. Even before the fishing began?—A. That they had never come up to that size; you could find lobsters bearing eggs, and lots of them at $7\frac{1}{2}$ inches, that was in the Straits of Canso.

Q. The lobsters are small there now?—A. They have always been small there, ever since we began fishing.

Q. Is it to your knowledge that the canners are compelled to accept undersized and berried lobsters for fear of losing their fishermen?—A. Not this last few years that I have noticed at all, it would be the case probably some ten years ago, there was more trouble of that kind then.

Q. Have you ever estimated in your canneries as to how many pounds' weight of green lobsters it takes to fill a pound can?—A. Oh yes, we know just exactly when we are operating, from day to day.

Q. Can you give us an idea how much it takes?—A. I can give you a general average for a certain section, what I mean by that is that further west you find a

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better average, we get probably, take it from here half way to Canso, an average of $4\frac{1}{2}$ pounds to the can, and east of that it would be 5 pounds, and then again further east still $5\frac{1}{2}$ pounds.

Q. The further east you go it increases?—A. Yes, the fish are poor at the time you pack them, and for that reason I spoke as I did a while ago, that if the government undertook to shorten the season it seemed to me to be unwise to cut off the latter end. My idea is to let the fishing go on as late as possible, so long as it does not interfere with the berried lobster, and then you get the benefit of the growth of the lobster.

Q. Have the regulations for the protection of the lobster ever been observed in your district?—A. They are not strictly enforced or observed.

Q. Were they more strictly enforced some years ago than they are now?—A. No, I do not think so.

Q. Do you think that the number of canneries has reached the maximum compatible with the continuation of the industry or would you favour an increase in the number of licenses?—A. From a personal point of view I would not, I suppose, but I do not know that there should be any objection to an increase in the licenses, if there is any assurance that the lobsters put up will be marketable, but when you look back to the time when there were 10 lobster factories to one there is now everybody knows the goods were not as good. You have the experience of that time to go by and it may get down to that same condition of affairs again.

Q. Do you think that the space left between the slats in the trap would govern the capture of small lobsters to any extent?—A. I would think it would, the small lobsters would surely crawl out if the space were large enough; they might not all go, but a good many of them would.

Q. Is it not the case that the tendency is to narrow down that space compared with what it was in the beginning of the industry?—A. There has been very little change, I think they follow pretty much the same rules they used to; the reason of that is that they wanted at that time to catch all the small ones and they still want to catch them.

Q. During what period of the open season is the lobster fishery most actively prosecuted with you? What is the best time of your catch?—A. In that part of the coast between here and Canso it is the month of May, and in Cape Breton I could not tell you because some years we do not commence there until June; two or three years ago we did not pack any lobsters in Port Morien until the 20th of June, and this year it was late again, so that we cannot very well tell about that, but we will say that from the first of June along to the middle of July is the best part there.

Q. What in your opinion will be the effect of a shorter open season with no restrictions as to size limit?—A. What will be the result?

Q. Yes?—A. I think it would be beneficial.

Q. You prefer to see it shortened in the beginning and not in the end?—A. Most decidedly from here east.

Q. What do you think of the proposition to establish a standard of fitness for a license to can?—A. I think it would be all right if it is possible, and if it can be done very fairly.

Q. Do you think that the product of the cannery should be subject to inspection?—A. Government inspection?

Q. Government inspection.—A. Might I ask a question? Is there any other class of canned goods that is subject to inspection?

Q. I believe so.—A. That is before they go into the cans, during the operation.

Q. Oh well, I suppose the inspection would have to be during the act of canning?—A. Yes.

Q. And I should suppose that the inspector would have to test and examine the pack?—A. Really I do not think it would be any benefit. You know I think the business has all the inspection it needs and can take care of itself.

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Q. The tendency today is to inspect all food products?—A. Certainly, I think if anyone wants a license there would need to be some report about that, but under the present conditions I think the packers are all capable of doing the very best they can and just as well as if they had inspection.

Q. What do you think of the policy of encouraging the fishermen to co-operate in canning?—A. Encourage them, what do you mean by encouraging them.

Q. Well, the tendency of the department just now seems to be that where the fishermen are complaining and are not satisfied with the prices they receive they will be ready to issue them a license to can?—A. I would have no objection to that, I think that would be all right if that is what is meant by encouraging them.

Q. Do you think it is wise to restrict the number of fishermen necessary to obtain a license to 15? The department insists that at least 15 fishermen shall combine together.—A. That will depend upon the locality very very largely, anyone will understand that. I know a place where probably 7 or 8 lobster fishermen could pack more than 30 or 40 in another place; but I suppose a license would not be very much good unless the fishermen could pack a fair proportion of lobsters.

Q. Is it to your knowledge that the fishermen have lost their catch of lobsters by the canners refusing to accept them? Complaints have been made by the fishermen in that respect?—A. You would not be able to tell the locality at all in which that happened?

Q. It was in Cape Breton, I think.—A. All I can say as far as Cape Breton is concerned, or at any other place, we have never refused lobsters, but have always taken them; in one or two instances we have been unable to pack them in a certain place, and we have shipped them to other factories, but we have taken them.

Q. It has been complained that canners have refused to operate the factory although a sufficient supply of lobsters was available.—A. No, I do not know of anything of that kind, unless it was this year, there might have been one or two cases this year.

Q. Would the fishermen have any other market for their lobsters if the canneries were closed?—A. They would have the live lobster market in the United States to go into, but there is this to be looked at in this connection, that if the factories were all closed there would be a great deal larger supply of live lobsters coming in and they would probably be cut down one-half or more than a half in price.

Q. Which branch of the lobster industry do you think is the least calculated to deplete the fishery, the canning, or the live lobster trade?—A. The last answer I gave you would have something to do with that, if the canneries were closed it would have the effect, you could see for yourself, that the supply would be more than doubled, and the market would in consequence go down.

Q. Are the present facilities adequate for the proper handling of the live lobster trade?—A. Yes, I would say so, on the west coast they are, and I think on the east coast too.

Q. How far east?—A. As far east as Canso. We have tried Cape Breton at different times with steamers of our own in different ways, but we could never get the lobsters to Boston alive.

Q. The facilities do not exist there for carrying them?—A. Well, in certain parts they may, in the neighbourhood of that pound, I think Mr. Baker used to send them by express, but I do not know enough about it to know whether he succeeded or not.

Q. Do you know anything about the live lobster trade yourself?—A. Yes, some of the business.

Q. What prices are paid for live lobsters?—A. The price varies all the way from 8 cents to—I do not know the limit I am sure.

Q. Is there any competition in the matter?—A. Oh yes, always has been.

Q. The fishermen complain that a combine exists between the canners to keep down the price; what is your experience in the matter?—A. I do not know anything about it at all, I never heard tell of its being done and never saw anything of that kind anywhere.

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Q. You never saw anything of that kind?—A. No.

Q. Do you think such a thing could exist?—A. I do not think such a thing could exist between here and Sydney without my knowing something about it; it might in other places.

Q. What have you to say as to the matter of factories and pounds?—A. I do not know very much about it, but I do think that with regard to the hatcheries there have not been enough of them to my mind. If what we hear about the Pictou hatchery is true we should have some hatchery between Canso and Halifax. The one at Canso is the only one on this whole coast, and it seems to me that if the Pictou hatchery is as good as it is claimed to be two or three hatcheries between Canso and Yarmouth would solve the whole trouble for the department.

Q. What do you think about pounds?—A. I haven't much use for them myself. I do not think pounds are sufficient, they may be all right for the immediate neighbourhood of the pound, but the weak point of the pound system is that they take the seed lobsters from one place and put them in another, and the place where the pound is located, wherever it may be, is benefitted at the expense of the place where the lobsters come from. That is the complaint of the fishermen at Point Michaud and other points, that they have been taken from those points and placed in the pound at Fourchu, and they derive no benefit from them.

Q. Do you think there is much illegal canning or fishing done along the shore that you represent?—A. No, I do not think so.

Q. Has there ever been?—A. Oh yes, I suppose at one time when the fishermen had no license to pack there was a great deal, but I do not think there is any of it now.

Q. Do you think that the labelling of cases has had the effect of stopping that or is it of any value?—A. I think it has a good effect.

Q. Is it to your knowledge that it is being evaded?—A. In which way.

Q. That lobsters have been packed and labelled out of season?—A. It is not, to my knowledge, I have never heard that it has been done, and I have never really seen it done. One thing that occurred to me while you were asking about the size limit and the close season, I do not know whether anyone ever thought of it or not, but I do not see why the size limit should be enforced in any way for this reason, that if there are a certain number of lobsters in the sea at the end of the season what does it matter what size they are as long as they are there for the next year, and the next year after that? It seems to me that has been overlooked right straight along, if you only take one-tenth of the lobsters it does not matter, as long as there are sufficient left.

Mr. PAYSANT.—Mr. Leslie stated that he thought the reduction in the catch was due to over-fishing. As a matter of fact the season has been repeatedly shortened in his district. Am I not right? During the last twenty years it has been shortened two or three times.

Mr. LESLIE.—Is it not due to that fact instead of to over-fishing.

Mr. PAYSANT.—No, the reason I think my statement is right is that the fishermen since the last shortening have had to have more gear.

The COMMISSIONER.—Do I understand you to contend that the shortening of the season would deplete the fishery?

Mr. PAYSANT.—No, but to reduce the size of the pack and the catch in the aggregate.

Mr. LESLIE.—That is just my opinion, I do not think we can close our eyes to the fact that the lobsters are scarcer in the district of which I have knowledge than they were 10 years ago; it takes more traps and a different style of traps to catch them, better bait, and all that sort of thing.

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Mr. SMITH.—In speaking of pounds you said that the seed lobsters are kept in the district in which the pound is located; could not that be overcome by distributing them over the section from which they were originally taken. Instead of having one small pound there should be 20 if necessary, and that would be one way of getting natural results, all the lobsters, as soon as the season is over would be liberated.

Mr. LESLIE.—I think you will find the fishermen have decided that they do not want to have the lobsters caught and taken away from their own district. I do not think it is possible to collect many for the Fourchu pound in that way now.

Mr. SMITH.—Do you not think that the lobsters like other fish, have good and bad seasons? If you have the gear and the season to get them you will catch them?

Mr. LESLIE.—I believe that conditions vary sometimes.

Mr. SMITH.—We found an increase this year and the hatchery has been in operation there; they say there is better fishing there now.

Mr. LANGILLEE.—Since the hatcheries have been running there has been an improvement in the fishery.

Mr. LESLIE.—Have you any information from Canso in that connection? Is the fishing holding out better there than it was?

The COMMISSIONER.—I should judge so from the evidence we have. You have favourable conditions there.

Mr. LESLIE.—Not nearly as favourable as you will have about the bay and islands in some places in Cape Breton, where there are plenty of places most suitable for the establishment of hatcheries or pounds. Did anybody ever suggest that each factory should hatch out its own spawn?

The COMMISSIONER.—At their own expense?

Mr. LESLIE.—Yes, if need be, or in combination with the government. I believe the packers would be willing to bear a part of the expense, not if licenses were given indiscriminately, but under the existing conditions I think they would.

The COMMISSIONER.—If they had a guarantee that the licenses in the place would not be increased, would that be satisfactory?

Mr. LESLIE.—I do not know about that, but I believe that the packers would combine with the government to meet a part of the expense, and then there would be none of this trouble about not putting them in the right place.

Mr. SMITH.—In Maine they have large pounds where they keep large quantities of these lobsters until after the hatching season.

Mr. LESLIE.—I am speaking about hatcheries, where they are in the vicinity of a cannery.

The COMMISSIONER.—Or in the neighbourhood of a pound, you should have derived some benefit from it.

Mr. LESLIE.—We haven't seen any of it.

Mr. SMITH.—I believe that for the last ten years packers have not availed themselves of the privilege of canning after the 1st of July, although they have the right to do so until after the 15th. Do you think it is better to let the lobsters rest, that is in the Straits of Northumberland?

The COMMISSIONER.—Do you think it would be possible to take the lobsters alive from the cannery to the hatchery and have the eggs stripped there?

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Mr. SMITH.—That is a question of distance, I should say.

The COMMISSIONER.—If the work is roughly done there is a great deal of loss, and I am afraid that in some of the canneries it is roughly done. The men set apart to do that work do not care much for it, and look upon it as a nuisance.

Mr. SMITH.—I should say if the pound system could be operated that it is the best and the natural way; and let the lobsters be distributed afterwards by the government or other authorities wherever it is possible to do so.

Mr. LESLIE.—The experience is that a pound is far more expensive than the hatchery.

The COMMISSIONER.—That is a very large pound.

Witness discharged.

Commission adjourned.

CHESTER, September 8, 1909.

JAMES L. REDDEN, packer, Chester, called and sworn:—

By the Commissioner:

Q. Your cannery is situated where?—A. Aspatogan.

Q. How long have you been canning at that place?—A. 25 years.

Q. You always canned at the same place?—A. Yes.

Q. What is the capacity of the cannery, what has been your average pack?—A. About 1,000 cases is the average pack.

Q. Was that your pack this year?—A. No, not this year, but before this we used to go up to 1,400, this year it was only 500.

Q. To what do you attribute the decrease this year?—A. To an off year for lobsters, there were very few lobsters here.

Q. Was the weather bad?—A. Yes, the weather was bad, at the latter end of the season when it got warm it was very bad and destroyed a number of the traps.

Q. From what number of boats do you collect your lobsters?—A. About 70.

Q. Extending for what number of miles along the coast?—A. 25 miles.

Q. That is 12½ miles on either side of you?—A. Yes.

Q. How do you find the lobster conditions now compared with what they were when you first began to operate?—A. What do you mean, in quality or size?

Q. How do they run?—A. Very much smaller than they used to, but there are just as many in number.

Q. There are as many but they are smaller?—A. A lot smaller.

Q. Has it been steadily decreasing since you began to operate?—A. Yes.

Q. So that the decrease has been gradual?—A. Yes, in size.

Q. You caught off the big ones in the early years and since then you have not seen so many of them?—A. Yes, they are getting small.

Q. How is it here, do you supply your own boats and gear?—A. No, the fishermen own their own boats and gear.

Q. Are the lobsters all smacked to the factory?—A. Yes.

Q. Do you have to employ more boats and gear to keep up your pack than in the beginning?—A. Oh yes.

Q. A great deal more gear is employed now than when you began to pack?—A. Yes.

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Q. What are the regulations in this district?—A. From the 15th December to the 1st of January.

Q. And what is the size limit?—A. 9 inches.

Q. How would it affect you if that size limit were strictly enforced?—A. I would have to go out of business.

Q. How long is it since you reached that point do you think?—A. Oh, over 20 years.

Q. It has been that way for 20 years?—A. Yes, a good long while.

Q. What has been the practice with regard to the berried lobsters by the fishermen?—A. They have been thrown back into the water for the last four years entirely.

Q. And before that what was the practice?—A. Well, some of them cleaned them off and sold them if they could get clear of them.

Q. Do you think there is a better disposition now on the part of the fishermen to protect that berried lobster than there used to be, are they beginning to understand it is to their advantage to do so?—A. Oh yes.

Q. You think that is the case pretty generally?—A. Yes.

Q. Have you any station of the Fishermen's Union here?—A. No.

Q. What price have you paid this year for lobsters?—A. \$2.25 per hundred.

Q. By count?—A. By weight, excepting the 10½-inch, for which we paid 12 cents.

Q. And you take them by count and not by weight?—A. Yes.

Q. How many lobsters do you run to the hundred pounds—A. I would suppose about 80, that is taking the large.

Q. Counting the big with the small it would run about 80?—A. Yes.

Q. Is that the case all through the season?—A. Yes, all through the season.

Q. That will represent a pretty good sized lobster, will it not?—A. Oh no.

Q. You pack them all, you do not ship any alive to market?—A. Very few, except in the winter.

Q. What is the best time of your fishing here?—A. Well, the best time would be when the season opens on the 15th of December.

Q. And how about January, February and March?—A. Oh well, after the 15th of January there is practically no fishing, in February there is none at all, and in March there is none; they do not fish here after the first of February at all.

Q. Are the traps taken up?—A. Yes.

Q. Are they brought ashore?—A. They are brought ashore.

Q. Why is that, because of the scarcity of lobsters or on account of the bad weather?—A. Scarcity of lobsters, there are none.

Q. They have backed off into deep water or they do not trap?—A. They do not trap, you could not get them in deep water.

Q. I suppose that when your season closes as it does, you do not see many berried lobsters, do you? When do you begin to find them with berries on?—A. Along towards the last of May.

Q. Will you see them with berries on in December?—A. Oh yes.

Q. Have you any idea of the spawning season of the lobster here?—A. No, you would catch them at any time of the season, they may seem to be just as far advanced in January as they would be in May.

Q. But in the cold water the eggs will not develop?—A. No, but they look just the same as they do in May.

Q. You did not notice that as the season advances the eggs got riper?—A. Yes, certainly, along towards the first of June some of them are almost ready to drop off.

Q. What is the practice of your fishermen here, in what depth of water do they usually fish?—A. The depth or the distance off shore?

Q. The depth, when the traps are put out in December, where will they put them?—A. In from 2 to 10 fathoms of water.

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Q. Do they expect to get the lobsters that near the shore then?—A. Yes, when the season opens they fish close in shore.

Q. And in January and February where do they fish?—A. In some localities they are in close and some are off.

Q. Do you notice that the lobsters back off shore as the winter months come on?—A. I could not exactly tell you that, but they move in in the spring, and they keep on moving, into one fathom of water.

Q. Is it the practice of the fishermen to come inshore with them to move their traps in with them?—A. Yes, they move in and out.

Q. Is there any large trade here in export lobsters, the market lobsters?—A. No, outside of a few that are shipped in the winter, we cannot ship from here in the spring to make a success of it at all.

Q. From what reason?—A. The market is down in Boston and so many die.

Q. You have facilities here for shipping to the market, have you not?—A. Yes, there is every chance here.

Q. How are they generally shipped?—A. By rail to Yarmouth and boat to Boston.

Q. Could you tell me how your lobsters run here, how many does it take to the pound can?—A. About six, maybe a little more or a little less, one way or the other.

Q. About when was the lobster canning first introduced in this neighbourhood?—A. About 40 years ago.

Q. Who were the first to begin canning here?—A. There was an Englishman named Fry packed here first and then the Portland Packing Company came.

Q. Are they still packing in this neighbourhood?—A. No.

Q. Are most of the canneries in this neighbourhood owned by residents?—A. All of them.

Q. Are any American canners operating along here at all?—A. No.

Q. There are none?—A. No.

Q. What regulations were in force when you began packing?—A. As to the size limit?

Q. As to season and so forth?—A. Well, it was up to the first of July from the first of January.

Q. There were regulations enforced at that time?—A. Yes.

Q. What was the size limit then?—A. 9 inches.

Q. Has that ever varied, has it always been 9 inches?—A. Always been 9 inches.

Q. In the early years was there any attempt to enforce that regulation?—A. Well, not that I know of, I never was outside, I always worked inside and knew nothing about the outside part of it.

Q. To what do you attribute this decline in the condition of the lobster fishing?—A. To the destruction of the large lobsters, the seed lobsters with the spawn on them every year.

Q. Would you say that it was due to overfishing at all?—A. That might be.

Q. To too much fishing?—A. I would not say.

Q. As well as to the destruction of the seed lobster?—A. Well, I suppose that would help, but I would say it is because of the destruction of the large lobsters with spawn year after year.

Q. Do you not think that the destruction of immature lobsters, the undersized ones that have not reached the age of reproduction, must have contributed to the destruction?—A. It might in some localities where they take small lobsters, but most of them do not take lobsters under 9 inches.

Q. The general opinion of those who are experts in the matter is that an 8 inch lobster has attained maturity, we have found them $7\frac{1}{2}$ inches bearing eggs?—A. Yes, I have seen them too.

Q. But the general opinion is that the 8 inch lobster has reached the age of reproduction?—A. Yes.

Q. What style of trap is in use here?—A. They call it the bedroom trap, three-headed.

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Q. How long has it been in use?—A. I would say about 5 years.

Q. Do you think it is any more destructive than the old fashioned double-ended trap?—A. It catches more lobsters.

Q. That is the only difference, that the lobsters which get in it are likely to remain there?—A. Yes.

Q. Do you think that the space between the slats having been narrowed down, as it certainly has been in some places, I do not know whether it has been here or not, has anything to do with the catching of a smaller run of lobsters?—A. Sure it has.

Q. Do you think it would be possible by insisting on a standard width between the slats that a larger percentage of small lobsters would be allowed to escape?—A. Yes.

Q. A good many people tell us it will not make any difference?—A. It makes a lot of difference.

Q. You think it will make a lot of difference?—A. A lot of difference.

Q. Have you any idea how much space the fishermen allow here?—A. In some localities the lobsters are very small, and they put the slats closer together, I would say 1 or 1½ inch.

Q. Do you allow that much? One and a half inches will allow a pretty good lobster to escape?—A. Well, they take the lath as a spacer.

Q. You say the lobsters are smaller in some places, are they smaller because they have been fished out?—A. No, they have always been small.

Q. On what bottom would you expect to find small lobsters?—A. A smooth sandy bottom.

Q. I suppose it is the same here as everywhere else, that the best lobster fishing is about the reefs and rocky bottom?—A. Yes.

Q. Now, as to the remedies for the existing condition of affairs, what would you suggest yourself? Do you think there should be any change in the regulation with a view to protecting the lobster industry and trying, if possible, to bring it back to its former good condition? What regulations would you advise for that purpose?—

A. Oh, well, for the sake of the lobsters do you mean, or for the sake of the fishermen?

Q. I mean for the sake of the lobsters?—A. For the sake of the lobsters; well, I would say liberate all the large lobsters over 10½ inches and cut the size limit down to about 7, that would be the main idea.

Q. Would you limit or curtail the open season in any way?—A. No, I would not.

Q. Would you insist on a standard space between the slats in the trap?—A. Yes.

Q. There are some places where the space has been narrowed down until it is very little more than half an inch?—A. I have not seen any like that.

Q. If you liberate, as you suggest, the large lobsters, would that not put an end to the trade in live lobsters?—A. I suppose it would.

Q. And do you think the regulations should be so drafted as to favour canning at the expense of the live lobster trade?—A. That was not what you asked me; you asked me what would be the right thing for the lobsters.

Q. Do you mean that in that case it would not be better for the fishermen?—A. Yes, certainly; but that was not what you asked me. Of course, it would stop the fresh fish business, which I do not think would be the right thing to do.

Q. You think the fresh fish business here is not of sufficient consequence?—A. They have to can all their lobsters here, practically all.

Q. Is it the case that the canners have to accept undersized lobsters for fear if they do not do so their fishermen will go to other canners who are not so scrupulous?—A. Yes.

Q. It has been suggested that a good plan for enforcing the regulations more strictly would be to ask the fishermen to take out a license, the idea being that the fisherman before beginning the lobster fishery would have to go to the fishery officer and take out a license on which the regulations would be printed, this the fisherman would have to sign. It is suggested that there should be no fee charged for this license, the idea of those who suggested it being that the fisherman having done that would feel

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himself bound by the regulations and would obey the law himself, and be more likely to inform on those who did not live strictly up to it. Of course, the intention is that any man known to have violated the regulations would forfeit his license and not be allowed to fish lobsters. Do you think there is anything in that proposition, or would it have a good effect?—A. No, it would not have a good effect. There is no way to stop it unless every fisherman would be an officer; you have to stop a thing like that at headquarters.

Q. Do you think it would make the fishermen more likely to obey the law themselves, and do you think they would be likely to lodge information against others who violated the law? Would one fisherman be likely to do that on another?—A. No.

Q. Do you think that an increase in the number of canneries would lead to more fishing?—A. It would lead to more fishing, yes.

Q. You think it would?—A. Yes.

Q. Do you think that everybody who could engage in lobster fishing is already engaged in it?—A. Yes.

Q. That would not mean a great increase in the amount of gear in the water, would it?—A. It would mean a lot more gear, but no more fish.

Q. You think there would be more fishermen engaged in the fishery if there were more canneries licensed?—A. Yes.

Q. Do you think that the number of licenses has reached the maximum compatible with the preservation of the industry?—A. Yes; I am speaking for my own district.

Q. Is there any reason why one man should not have as much right to can lobsters as another?—A. No reason whatever that I can see, but if another man started in the district where I am I would have to knock off. I am willing for him to buy me out.

Q. Are the fishermen satisfied with the price they are receiving here, or is there any friction?—A. They are never satisfied.

Q. You think they are never satisfied?—A. No.

Q. In a good many places the fishermen have complained to the department that they are not receiving a fair share of the profits from the business, and to satisfy the fishermen the practice has been, during the last few years, to issue what we call co-operative canning licenses. Are there any of those co-operative licenses in existence here?—A. No.

Q. Do you think that is all the department could be expected to do to satisfy the fishermen, or that it is the right thing to do?—A. I do not understand that yet.

Q. You see in a good many places the fishermen are complaining, in fact they are complaining very generally, at the price they are receiving, and with a view of satisfying the fishermen in their demands the department consented, and these are the only new licenses that have been issued for a number of years—the policy of the department is to restrict the number of canning licenses—and the fishermen have complained that the department has overdone the thing, that if there were more canneries there would be more competition, and that they would get more for their lobsters. Therefore, the department has issued co-operative licenses where a group of fishermen, numbering 15, have applied for permission to can their own lobsters. What we want to know is, do you think that provision is sufficient to satisfy the fishermen?—A. I can only speak for my own district. They could not get any more for their lobsters here than they have if they had ten licenses.

Q. Do you think they will get more for their lobsters by canning them themselves than they would by selling them to the factory?—A. No.

Q. You do not think the fishermen will make more money by canning for themselves than by selling to the factories?—A. Not in this locality, they get all that is in it already, and they cannot expect much more.

Q. The Lobster Commission of 1898, did you meet those gentlemen who came around in 1898?—A. No.

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Q. They made a report and suggested as a remedy for the decrease that was evident in the fishery then that we should close down by sections, that is shut off certain sections of the coast and stop all fishing there for a term of years, and then move those sections around until all the coast had been given a close season for lobsters. Do you think that would be possible?—A. Not unless they are prepared to feed the fishermen.

Q. And I suppose that the other recommendation that we should close down altogether for a term of years all over the coast?—A. That would still be worse.

Q. Are the most of those engaged in the lobster fishery regular deep-sea fishermen who go to other branches of the fishery when they are not fishing lobsters?—A. Yes.

Q. In a great many places we find that farmers, labourers, and people of that kind, who are not regular fishermen, fish lobsters?—A. The majority of those here are deep-sea fishermen, there may be a few others who are not regular fishermen.

Q. Do you think it would be wise to establish a standard of cannery? At present the license simply gives you the right to pack, do you think it would be wise in addition to that to insist that the cannery should be up to a certain standard of perfection? There are a great many canneries that are very poor affairs and it has been suggested that we should insist upon the cannery being up to a certain standard, that the tables be covered in a certain way and that certain provisions for absolute cleanliness be provided?—A. I can only speak for myself, I do not think it is necessary.

Q. Is it not the case that there is a considerable quantity of inferior pack put on the market?—A. I cannot speak of any but my own.

Q. But is it not a fact that such is the case?—A. Well, it is complained of.

Q. Is that not due to the canneries?—A. No, it is the quality of the lobsters caught down in the Gulf of St. Lawrence that is inferior to ours. I have worked in Antigonish for five years and I know what the lobsters are.

Q. In what way are they inferior?—A. The meat is inferior to our meat, it is darker when canned.

Q. Do they take an inferior rank in the market and bring a lower price?—A. Yes.

Q. Do you think the product of the canneries should be subject to inspection?—You know the tendency of the day is to inspect all food products, and to require an official guarantee as to their condition?—A. Well, I can only speak for myself, I do not need any.

Q. You sell by your mark?—A. Yes.

Q. And that is sufficient guarantee?—A. Yes.

Q. Do you think it would be in the interests of the trade generally that it should be done?—A. No.

Q. How does the price paid this season compare with the price paid last season and the previous season?—A. For the canned goods?

Q. Yes, for the canned goods?—A. About one-third.

Q. There was a drop of one-third?—A. Yes.

Q. That drop was caused by what?—A. I suppose over production, I do not know.

Q. By over-production?—A. I suppose so, or it may have been that they got so dear the people could not consume them.

Q. Are you aware of any instances where the fishermen have lost their catch of lobsters by the canners refusing to accept them?—A. No.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of the canners to operate their factories for which they held licenses, although a sufficient supply of lobsters was available?—A. Not in this locality.

Q. Would the fishermen in your neighbourhood, have any market for their lobsters if the canneries were closed?—A. No.

Q. Which branch of the lobster industry do you think is the more remunerative to the fisherman and less calculated to deplete the fishery, the canning or the live lobster trade? You have already answered that of course in another way?—A. Yes.

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Q. Can you give me any idea what it costs to put up a case of lobsters?—A. You mean the labour.

Q. I mean the total cost; what is a case of lobsters worth when it leaves the factory, what has it cost to manufacture?—A. That is the lobsters, the cans, the labour and all?

Q. Everything?—A. Well, some years it is different of course, we pay different prices for the lobsters, but I would say that this year the lobsters in the case cost about \$13.50.

Q. To manufacture?—A. Yes, I can only speak for my own locality, of course.

Q. Have you any experience in the matter of hatcheries, you say that you have fished or packed in the neighbourhood of Antigonish?—A. No, none.

Q. Was the Cariboo hatchery in operation at that time?—A. No, not at that time.

Q. You have no experience there since it has been in operation?—A. No.

Q. Do you think the department should establish more hatcheries?—A. Yes.

Q. Do you know anything about lobster pounds?—A. No.

Q. Do the facilities exist in your neighbourhood for the establishment of pounds?—A. No.

Q. You want, of course, a sheltered spot, with a free supply of salt water?—A. Yes, no fresh water, we have no place of that kind where I am. We have no place there but what has too much fresh water, or else it is rough.

Q. Has there been any fishing out of season along this coast, or any illegal packing done after the close of the legitimate season?—A. Never that I knew of.

.. Q. You say there never has?—A. No, never.

Q. What is your idea of the value of labelling the lobster cases, does it serve any good purpose, and is there any object in continuing it?—A. No.

Q. Of course it was introduced with the idea of putting a stop to illegal packing. Would it have that effect?—A. No, not as far as I know, it would not.

Q. If there is no illegal packing done here there is not much to be gained by labelling the cases?—A. No.

Q. Do you think it would be right and fair to increase the fee paid by the canners? At present it is a mere nominal affair?—A. No, I do not think it would be.

Q. Some canners have told us that they would be prepared to pay an increased fee, and in fact they have recommended that the fee be increased with the view of raising a fund for the protection of the fishery on the ground that the fishery should pay for its own protection?—A. No.

Q. Is there any fishing done here in bays or lagoons and other shoal water?—A. No.

Q. Or is it mostly confined to the offshore fishing here?—A. It is confined to offshore fishing.

Q. Is there anything you think of that you would like to suggest?—A. No, there is nothing, you have asked me about everything I could have spoken of.

Q. You favour the continuance of the present season as I understand it?—A. Except the limit.

Q. You would like to have the limit reduced from 9 to 7 inches?—A. Yes.

Q. Do you think if it were fixed at 7 the law could be strictly enforced?—A. By making every fisherman an officer.

Q. Then we would not gain very much by reducing the limit?—A. Except the license which would cover that I suppose, and there will be the declaration, it is impossible to stop it any other way.

Q. It has been suggested that one method of protecting the fishery would be to do away with the size limit altogether and provide a regulation space between the slats in the trap, to insist on that, and to somewhat shorten the season as the remedy most easily enforced. It is very difficult to enforce the size limit.—A. It is, and it is hard with reference to the traps, because there are some localities where the lobsters are all

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small, and it is a rare thing to have them over 9 inches, and if you make the law that the slats must be a certain distance apart those people would not be able to catch lobsters at all.

Q. Do you think in the beginning the lobsters were all as small in those localities?

A. They were always small.

Q. You do not think they are as big in the Gulf of St. Lawrence as they are on the Atlantic coast?—A. Never that I have seen.

By Mr. Webber:

Q. How far apart, in your opinion, should the slats be in this county of Lunenburg?—A. Well, there are some localities here where the lobsters are smaller than they are in the Gulf, take St. Margaret's Bay, you can get seed lobsters 7 inches long there, it is a rare thing to get a large one, they do not average two in a hundred over 10 inches.

By the Commissioner:

Q. Is not that due to overfishing?—A. No, it is the smooth sandy bottom they are on, so that you cannot make a general law to affect all districts that way. It would be a great thing for the canner if there were no small lobsters.

By Mr. Webber:

Q. Is there any money in it for the canner to buy small lobsters?—A. If you could buy them cheap.

Q. At the price you have been paying?—A. Oh no, I would sooner not see any.

By the Commissioner:

Q. It is not profitable to can any under 7 inches?—A. No.

Q. Is it the case that it takes 9 seven inch lobsters to fill a pound tin?—A. Yes, I think it would take about that—no I do not think it would take nine; you often find a 7 inch lobster with more meat in it than a 9 inch lobster.

Q. Proportionately the medium sized lobster is a better one to can than the very large one?—A. Yes.

Q. On several occasions we have had the matter tested, and we found it takes 9 seven inch lobsters, one with another, to fill a one pound can?—A. I would not have thought that, I would think it would not take more than 8.

Witness discharged.

SALEM COOLE, fisherman, Fox Point, Lunenburg Company, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing lobsters?—A. I was 11 years old when I first struck out at lobster fishing.

Q. How long ago was that?—A. Well, I am 49 years of age. I have dropped out of lobster fishing a portion of that time, but I caught lobsters the second year that lobsters were caught on the west side of St. Margaret's bay, George Knox and William Fittin were the first men who came into the lobster business down here, and my father bought their outfit and I was in with him as a boy.

Q. At that time were there any canneries in existence, that is about 37 years ago?—A. There was a cannery in Halifax county.

Q. Was that the only cannery about here then?—A. The only one in St. Margaret's Bay.

Q. Do you remember who it was run by?—A. There was a man by the name of Baker there at that time, but I do not know whether he owned it, the Portland Packing Company were also operating there.

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Q. You owned your own boat and gear?—A. Yes.

Q. And you have always done so since you were engaged in fishing?—A. Yes.

Q. And the fishermen do generally about St. Margaret's bay?—A. Yes.

Q. When you are not engaged in lobster fishing do you engage in other branches of the fishery?—A. Yes, I fish for my living.

Q. That is the deep sea fishery?—A. Yes.

Q. When do you begin lobster fishing?—A. The 15th of December.

Q. Where do you put your traps then, in what depth of water?—A. We set our traps generally in from 4 to 18 fathoms.

Q. How far off shore would 18 fathoms of water take you?—A. In some places about half a mile.

Q. You put them out there and fish there through the latter part of December, how long do you continue fishing out there?—A. We generally fish until the latter part of January or February, it is according to the conditions, sometimes we get knocked out by gales, at different times I have had to haul up the remnants of my gear, what was left.

Q. Are you bothered here by ice at all?—A. When February comes in we are.

Q. That is local ice, made in the bays?—A. Yes.

Q. There is no gulf ice here?—A. No; I have been in the ice as long as half a day trying to get to shore.

Q. Have you always fished the same style of trap?—A. No; the first one we fished was the old-fashioned trap—the double-headed trap.

Q. Did you ever fish hoop nets?—A. Hand pots?

Q. Yes?—A. Yes, I have fished almost as many kinds of traps as any man that ever fished.

Q. When did you fish them? They have gone out of fashion now; the old-fashioned traps are not used here?—A. Well, these last two seasons we have given it up, but we have been following it up all the time we were lobster fishermen.

Q. Do you fish in shoal water?—A. Yes, in the spring of the year we fish in from 6 to 1 fathoms.

Q. Do you fish them at the same time you are fishing traps or after you take in the traps?—A. At the same time as the traps.

Q. How many traps do you fish?—A. Lobster cages or hand traps?

Q. Cages?—A. We fish on an average 140 traps to a boat—130 to 140.

Q. Is that a one man boat?—A. Two men to a boat.

Q. Do you fish them on trawls or single lines?—A. Single lines.

Q. Is that the practice here generally, trawls are not used?—A. In about the bay.

Q. How many hoop nets do you use?—A. Generally 40, that is where we set.

Q. Do you get the same kind of lobsters in the hoop nets as you do in the traps, or are they a smaller run of lobsters?—A. They are generally about the same, but in the pots late in the spring you get more berried lobsters.

Q. As to the berried lobsters, when do you see most of them?—A. When do we see most seed on the lobster?

Q. Yes?—A. Oh, well, there are more of the berried lobsters late on in the season than there are in the early part, but sometimes you catch lobsters with more berries on at one time than you do at another. Sometimes you get lobsters in winter actually loaded up with seed, and sometimes they would have none.

Q. Will you see many of them in December?—A. Yes, we get a few in December.

Q. With just as large a bunch of eggs on them as at any other time?—A. Yes.

Q. You haul up at the end of January?—A. We pick up about that time.

Q. When do you generally begin again?—A. About the 1st of April.

Q. So that you do not fish in February or March?—A. Not these late seasons, but I have fished all through.

Q. You have kept the gear in the water all the winter?—A. Yes, I have.

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Q. Is it the general practice with other fishermen, or is it the rule not to fish in February or March?—A. Yes, it is the rule, because we cannot catch anything.

Q. Is that because the lobsters back off shore, or what is the trouble?—A. They will not crawl when the season comes along—the lobster is a very queer fish when you come to understand him; he is a fish you can have your gear out, and it will be a very fine night and the lobster will not move at all, he will not crawl, but other nights the lobster will move and crawl, though on moonlight nights and with smooth weather the lobster will not move, whereas on a dark rainy night when it is rough he will crawl.

Q. Have you any idea of the percentage of lobsters caught that are berried?—A. Out of the whole quantity you get?

Q. Out of all that you catch what proportion of them will be carrying berries extruded?—A. Taking it on the whole?

Q. How many out of every hundred lobsters would you say have berries?—A. We would get four or five.

Q. Is that about the average? There are not more than that?—A. I would not think so.

Q. Can you give me an idea of the smallest lobster bearing berries you have seen?—A. Yes, I have seen them seven and a half inches.

Q. But I suppose you have not seen many of that size?—A. No, not many.

Q. What do they generally run?—A. From 8 inches up they have spawn on them.

Q. Have you ever seen any very large lobsters carrying spawn, the biggest lobsters?—A. Yes, I have seen them with spawn.

Q. Do you notice as the season advances that the spawn looks ripier?—A. It looks some ripier.

Q. Have you ever noticed the eye of the young lobsters through the egg, under the shell?—A. Yes.

Q. You would not see that in the berries on the lobster in December?—A. No, the berries then are hard, dark and black, and as the season goes on they get light when it comes along in June or the latter part of May, the closer it comes to maturity.

Q. Do you think they come inshore to the warmer shoaler water to spawn?—A. Yes, the lobsters as a rule will begin to move into the shore in the middle of April, and as May comes along we will get the seed lobster in a fathom of water, they come inshore to lagoons, that is on the lee side of reefs and shoals; I have fished in places with these pots that I hauled up, and I found I was catching berried lobsters, and I made a practice myself of throwing them in the water. Mr. Webber can tell that by hearsay, as there are lots of men saw me do it.

Q. Do you think it would be wise to prohibit that sort of thing at that time of the season?—A. Yes, it would.

Q. What do you call those hoop nets here?—A. Hand pots.

Q. We call them hoop nets inside.—A. A man that will catch lobsters with them should be punished, it should be made a criminal offence to be found with them in a boat.

Q. Do you think the fishermen are generally becoming aware of the necessity for protecting and preserving the lobster?—A. The fishermen are as a whole coming to see that by killing the seed lobsters they are killing the goose that lays the golden egg.

Q. What used to be the practice?—A. The practice used to be to catch them and wash them off; I have been out with my gear and saw them washing the eggs off the lobster when the smack was coming, but I have not cleaned any myself.

Q. Is it difficult to tell that the lobsters have been washed?—A. The lobster will die in a very short time after it is washed, you generally can tell whether they have been washed if you just know how.

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Q. Are you fishing many more traps now than you used to when you began?—
A. Yes, we are fishing more gear now.

Q. Does it take more gear to keep up your supply of lobsters?—A. I do not know if it does, we find that the more gear we have the more lobsters we catch.

Q. How would you fare if you used the same amount of gear now that you did when you commenced fishing?—A. We could not get as many lobsters, they are not as big and they are not as many as when we commenced to fish first.

Q. Do you think they are not as many?—A. There may be as many but they are not as large.

Q. Do you think there is anything in insisting on a larger space between the slats in a trap, would it allow more small lobsters to escape?—A. I do not think it would be any good; of course if you did fix a standard you would not catch the small lobster, but the fisherman who would take the small fish would do almost anything. There are lots of boys go fishing and catch the small lobsters, and if they cannot sell them they are just as likely to kill them as to put them back in the water.

Q. That is not very generally done, is it?—A. No, I have not seen it done.

Q. Do you make your own traps?—A. Yes.

Q. How do you measure the space?—A. Once on a time we used to take the lath, but we do not now, we put them closer together.

Q. You put them closer together now?—A. Some of us do.

Q. Do you use the head of the hammer now as a gauge, or what do you use? Or do you go by guesswork altogether?—A. We go by guess work. Generally we would take a lath and make it the one width along.

Q. What space used you to leave in the beginning when you made your traps?—
A. The width of a lath.

Q. What would that be, $1\frac{1}{2}$ inch?—A. Yes, I would say it is about that.

Q. And what is the average space now?—A. I would say it would not be above an inch.

Q. Then the space has been narrowed down for the sake of holding the small lobsters?—A. Yes, and the mesh too.

Q. What mesh do you use?—A. Two and a half inch.

Q. Do you use the same kind of hoop, or is it smaller; I mean the hoop you put in the head?—A. I use a larger bow now than I used to; we formerly used a smaller size than what we are using now.

Q. What led you to change it?—A. I came to the conclusion that the large lobsters could not get into it.

Q. And do you find that you are catching a larger run of lobsters by reason of having increased the size of the bow?—A. Yes, I do get more large lobsters.

Q. When you disturb the trap by hauling it up do you think the small lobsters try to get out or do they seize hold and hang on?—A. The lobster when you are hauling the trap will swim all around the trap and try to get out, some of them, and others will just hang where they are when you start moving the trap.

Q. But some will try to get out?—A. Some will swim all around and try to get out, and some actually do get out.

Q. What do you think of this proposition to ask the fishermen to take out a license? You understand the idea which is that the fisherman should go to the fishery officer before commencing lobster fishing, and apply for a form of license, he would not probably have to pay anything for it, but this license would recite the law and the fisherman would have to sign it and it is thought he would then feel bound to comply with that law?—A. It would be all right, he would not then be ignorant of the law and so I think it would be all right.

Q. Do you think any fishermen are ignorant of the law?—A. Not many on this coast, I don't think they would be.

Q. Do you think that the fisherman having signed that form would be more apt to obey the law?—A. Yes, I think he would.

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Q. Do you think he would be inclined to lodge information if his neighbour was violating the law?—A. If his neighbour was an enemy he might.

Q. Some people think that would be a gain and others think it would mean a great deal of extra trouble to follow it up.—A. You can have your own idea of it, but I do not think it would cut much figure.

Q. Other people suggest swearing the man that he will not do wrong?—A. A man that is actually a fisherman knows what he should do, I know what I did, I was the first man on the south shore of Nova Scotia who fired away the seed lobsters, I went to the smacker and told him I would throw away all the seed lobsters I could find because I knew what it meant if they were destroyed.

Q. Do you think that the destruction of the seed lobster in years gone by has affected the supply of lobsters?—A. Yes, sure. If you have 50 hens laying eggs and you kill them you can't get chickens by allowing only the male birds to live.

Q. As to the matter of price, what did you receive for lobsters this year?—A. Canning lobsters and market lobsters, I sold my lobsters to Mr. Redden for \$2.25.

Q. Last year what did you get?—A. Last year I think I got \$3.75.

Q. That was by count?—A. Yes.

Q. Do you count the small lobsters two for one or do you count them just as they are?—A. Just as they are.

Q. Was that the highest price you ever received, \$3.75?—A. I have received more than that for lobsters.

Q. They have been higher than they were last year? Most places the fishermen got more last year than ever before?—A. This last season?

Q. I mean 1908?—A. I think that was about the highest we ever had for lobsters, the season before last.

Q. Did you understand the cause of the drop this year in the price?—A. I understood it was the financial crisis in Europe, but some people claimed it was the old stock.

Q. Are the fishermen generally in your neighbourhood satisfied with the return they get for the sale of their lobsters?—A. They were not satisfied this spring.

Q. But though they were not satisfied they knew there was a reason for it?—A. Yes.

Q. Do you think that the fishermen generally would make more money if they were canning on their own account than they do by selling their lobsters?—A. No, not the way I look at it, I consider that selling is away the best.

Q. Do you expect the canner to take all the lobsters you bring to him regardless of size?—A. The lobster boats comes to us for the lobsters.

Q. That comes to the canner all the same, do you expect the smacker to take all the lobsters you get without respect to the law?—A. He is in the habit of doing that.

Q. Do you throw any away?—A. None but seed lobsters.

Q. How small do you get them down to, what size?—A. I do not think I get very many under 7 inches.

Q. You do not get very many under 7 inches?—A. I do not think I do.

Q. Do you ever see lobsters under 7 inches? How small do you see them?—A. I have seen them 2 inches long.

Q. Do you get them in the traps that size?—A. Oh, no.

Q. Do you see them along the shore?—A. I see them along the shore.

Q. Do you see many of those very small lobsters?—A. Not many.

Q. They do not begin to come in until they reach about what size?—A. Well, it is according to the locality where you fish, if you fish in a cove with sandy bottom and eel grass you will catch small lobsters, but on the rocky shore where we fish I don't find many lobsters under 6 inches.

Q. But you think in shoaly and sandy places you get the small lobsters?—A. In places with a sandy bottom and coves with eel grass we get more small lobsters than we do in deep water.

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Q. Would you advocate the abolition of fishing in places of that kind? There is a regulation where I come from that you must not fish inside of two fathoms?—A. I do not think it would be any good around where I live because we have a rough shore.

Q. They used to carry on lobster fishing in shoal water with trawls, cod head on lines, and that was prohibited?—A. There is nothing like that carried on here.

Q. Do you think where it is carried on it should be stopped?—A. Oh, yes, it should be. The lobster when the water gets warm will go almost anywhere he can crawl.

Q. Now, what is your own idea with regard to the regulations, what should they be with a view to protecting the lobster industry? Your opinion is that the fishery is failing, that you are catching a smaller run of lobsters generally than you used to?—A. Yes, I know all that.

Q. What would you do yourself, what is your own idea? You must have thought the thing over and discussed the matter with other fishermen?—A. Yes, I have talked it over.

Q. What do you think is the right thing to do to protect the industry?—A. The right thing to do is to have a close season if you want to protect the lobster and give it an opportunity to grow up, stop every man fishing.

Q. Stop it for how long?—A. You should stop it for seven or eight years.

Q. What would become of the bulk of the lobster fishermen in the meantime?—A. I guess we would starve, that is what it would mean.

Q. Is there anything else the fishermen could turn their hands to during that time?—A. Not that I know of; myself I depend upon the lobsters for a livelihood more than on anything else.

Q. What is your average catch, how many thousand pounds would a good fisherman take in a season?—A. We do not sell it by the pound, but by the hundred.

Q. How many thousand lobsters do you catch?—A. I could not exactly tell that.

Q. What does a good lobster fisherman get in revenue in his season's lobster fishing?—A. Last season we only fished a short time and all we got last year was \$75, although really we had only fished a fortnight.

Q. What is the best you ever did in your lobster fishing season?—A. We made in spring and winter fishing \$300 for the boat.

Q. In your season?—A. Yes.

Q. That has to be divided between two men?—A. Yes.

Q. What is the value of the boat?—A. The boat would be worth about \$20.

Q. What is the trap worth with gear?—A. It will be worth \$1 rope and all.

Q. How long will the trap last?—A. It is according to what kind of weather you have, you may make a trap and have it smashed the first night you put it out, and others again will not last very long before they get smashed, but if nothing happens you may fish them four or five seasons.

Q. You fish 150 traps, how many do you have to make every year, take one year with another? What proportion of your gear do you have to renew every year?—A. Out of 160 traps we put out this spring, every one went out of existence, smashed up. Last season we made about fifty.

Q. You will have to make more?—A. I do not think I will make any more, I rigged up what was smashed, but this winter fishing is what knocks a man's gear to pieces.

Q. What do you think of the fishing season, is it right as it is?—A. Well, I would like to have a little change made in it. I would advocate commencing on the first of December.

Q. And would you cut anything off the other end?—A. No, I would not cut anything off the other end, at the same time it is well enough the way it is, it suits me, and I do not care very much, but if I made any change in it at all, I would have it start a fortnight earlier in the fall, and we would not have as many gales to contend with.

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Q. But here we have a failing fishery, it is manifestly decreasing, and it is not likely that the period of the fishery could be extended, it would be more apt to be shortened than lengthened.—A. The Commission will have to use their own judgment, they will not listen to me anyway.

Q. The evidence of the majority of the fishermen will count for something, surely?—A. I think it is all right as it is. I see that a committee last winter, some members of it, advocated extending the season up to the first of July, I would not advocate that.

Q. That was Professor Prince, was it not, in his evidence?—A. Yes, I think it was.

Q. He believes in having one season all along the coast, from the first of January to the 15th of July.—A. He does not have to work in the gales along the coast as I have, or he would not talk as he does. It is all very well for him to talk about that, but if he had to work along the coast in an open boat he would be blowing on his fingers as I do sometimes.

Q. Have you ever shipped lobsters alive to the market?—A. No, I have not.

Q. Have you any idea which, the canning or the live lobster trade, is the best for the fisherman?—A. In my locality the canning is best, that is if we can get the law down to 7 inches, and if we cannot do that, and the limit is fixed at 9 inches, there will be more money in the live lobster trade.

Q. That is if it is fixed at 9 inches?—A. Yes, it would knock the canner out entirely.

Q. Would not a strict enforcement of the 9-inch limit now knock the fisherman out too?—A. To a certain extent it would.

Q. Do you think anything would be gained by sending somebody to meet the fishermen in various localities and explain to them the necessity for observing the regulations, especially in respect to the berried lobster. You know the Department of Agriculture sends out men to lecture to the farmers and to advise them with regard to the management of the soil, the best cattle to breed, the best system of rotation of crops to adopt; would anything of that kind be of any use to the fishermen?—A. I do not think it would, because the fishermen are up to date and are very well informed; and if there were a law passed they would soon learn what the law required of them, but of course it may be all right for the department to do it.

Q. It has been recommended that that be done.—A. That would be all right, of course we could come and hear the lecture, it would not hurt any man to do that.

Q. A great deal might be told them about the history of the lobster?—A. He would be a very bright man who could make the lobster fisherman know more about that than he does already.

Q. Who should be blamed for the capture of small lobsters under 9 inches, the canner or the fisherman?—A. You might blame the fisherman, I should think, more so than the canner, because if the fisherman would not catch them the canner could not buy them.

Q. On the other hand some people are inclined to lay the blame on the canner, they say that if the canner did not take them the fisherman would not catch them.—A. I do not want to put too much blame on the fisherman, but if the canner would not take them the fisherman would not catch them, and, at the same time, if the fishermen did not take them the canner could not buy them.

Q. What is your principal fishing after the lobster?—A. Mackerel and cod fishing.

Q. From which of all the fisheries do you derive the most of your income?—A. From the lobsters.

Q. Is it of the most importance to the fishermen along the coast generally?—A. Yes, the mackerel fishery has failed, we cannot catch enough to pay for our gear. I have to-day 310 fathom of line lying in the water and this morning I had six mackerel.

Q. Are there no herring?—A. No, no herring.

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Q. Do you think an increase in the number of canneries would result in more lobster fishing?—A. It might in some localities, of course I do not know the situation along our eastern shore, but I have fished in the Northumberland Straits and down there it might result in an increase in the fishing.

Q. Down there the cannery, most of them, supply their own gear?—A. Yes, they did when I was down there.

Q. Where did you fish down there?—A. Pictou Island.

Q. How long ago; was the hatchery running there then?—A. I fished there 25 years ago.

Q. There was no hatchery there then?—A. No.

Q. Who ran the cannery then?—A. A man by the name of Shea.

Q. What sort of lobsters did you catch down there?—A. The majority of the lobsters were small, a lot smaller than on this coast.

Q. Was there any difference in the lobsters do you think generally?—A. The lobsters down there seemed to be softer than we have on our coast here.

Q. They were softer meat?—A. They seemed to be softer meat and a different class of lobsters. The shell of the lobster on the whole seemed to be softer; of course they were more plentiful when I was there. Each time I went to my gear there I brought ashore 2,400 lobsters on an average, I have it in my book at home.

Q. And how much were you paid then?—A. So much per hundred, and I got \$15 per month. I do not remember just how much I got per hundred, but it was not much.

Q. Do you think there is any combination among the packers to keep the price down? You know complaints have been made to the Department by the fishermen that there is such a combination?—A. Well, I believe there was a combination this spring among the packers to protect themselves.

Q. That is a very reasonable combination, we all try to protect ourselves.—A. I believe, of course I do not want to say too much, that probably they could not pay any more, and I think it is better for the canner to pay what he could and run his business than it would be for him to pay an exorbitant price and be knocked out of business. I believe it would be better for him and for the fishermen both.

Q. There is no general complaint against the cannery here, on the part of the fishermen?—A. No, none that I know of.

Q. There is no Fishermen's Union here?—A. No.

Q. Would a strict enforcement of the 9-inch limit here put you out of business?—A. Pretty well, yes.

Q. I think you told me that the best time of your fishing is in December?—A. Yes.

Q. I do not know of anything else that I want to ask you, is there anything that you think of yourself?—A. No, I guess I have told you about all that I know. I would not like the Commission to make a law to knock us out of our lobster fishing because it is a big industry to me, and I make my living by fishing; if I could not fish lobsters I do not know what I should do, because I cannot get mackerel sometimes. I tell you there are men who are not lobster fishermen who are making more howl that the fishermen about canning. I have caught lobsters late in the season, when it has been a very cold season, and have found them with sand sticking on their heads a half inch thick where they have been in retreat. The fishery is affected a good deal by the elements and the weather.

Q. In the old days when there wasn't any overfishing did you have bad seasons as well as good ones?—A. Yes, I have seen seasons that I thought myself we would never get any lobsters; I know one season when the railway was building here, that is several years ago, I was fishing with my son and in the first part of the season the lobsters were very scarce, and along about the middle of May the lobsters came along the shore and then there were lots of lobsters, fully one third of them were large, so that we had good fishing. Some seasons they will haul off and other seasons they come on.

Witness discharged.

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HARRY EVANS, packer, Chester, called and sworn:—

By the Commissioner:

Q. How long have you been connected with lobster packing?—A. About 15 years.

Q. Always from this centre?—A. Yes.

Q. What is your opinion of the condition of the fishery to-day as compared with what it was when you began?—A. I think the conditions are about the same, the lobsters are a little scarcer, something like that, but there are more fishermen to get them, and there are more traps in the water.

Q. How is it as to the run of fish, do you find that the average size of the lobster is decreasing?—A. They are decreasing some, but not a lot.

Q. What is the average of your pack, how many cases do you generally pack?—A. In a year?

Q. Yes?—A. About 550.

Q. What is the best you have ever done?—A. 822 cases.

Q. How long ago was that?—A. I think it was about five seasons ago.

Q. Was that due simply to the fact that it was a better fishing season?—A. Better weather.

Q. That was done with the same average amount of gear?—A. Yes, It was the same fishing all right.

Q. You smack your lobsters? From what distance each side of here?—A. From 14 miles one way and 9 miles the other.

Q. Are there many other canneries within that limit?—A. There is only one canner, but those cannerymen from here go out to our ground, and we go in on them.

Q. Now, as to this matter of the combine, is it to your knowledge that there is anything of that kind in existence?—A. A combine?

Q. The charge is made that there is a combine between the packers to keep down the price?—A. We have no combine, we simply pay what we think we can. We agreed to pay a price this season, but it was not as low as it should have been, according to how it turned out.

Q. That is this season?—A. Yes.

Q. Do you think still you paid too much?—A. Oh yes.

Q. I think you undoubtedly paid too much last year?—A. We did this year too.

Q. In your case all the fishermen own their own boats and gear?—A. Yes.

Q. It is not the custom of the canner around here to provide it?—A. No, not in this county.

Q. Does he make advances to the fishermen generally, or supply them with bait?—A. Nothing but bait, well, sometimes he supplies them with twine but nothing that is really worth speaking about.

Q. What, within your experience, is the average earning of an active fisherman?—A. Well that is a pretty hard thing to get at; you see we send our smackman out and he simply keeps tab of his day's catch, if he has 2,500 that is all we know about it, he has the names in his book and can tell us what fishermen he got them from, but we never know anything about it.

Q. Are the fishermen usually selling to more than one canner?—A. Oh yes,

Q. The fisherman is not obligated to sell to one man?—A. Oh no.

Q. There is then some competition among them?—A. Oh yes.

Q. Are the smackmen authorized to offer a little more?—A. I think not.

Q. We have heard complaints, especially among the fishermen where there is a Union, that they are bound down by a hard and fast rule to sell to the one canner?—A. I do not think they are bound down to any canner, they get all there is in it, in fact they get more than is coming to them sometimes.

Q. In 1908 there was a competition among the canneries, was there not?—A. Yes.

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Q. There did not seem to be any combine among them to keep prices down that year?—A. Well, it was the same as it was this year, they could not afford to pay any more, but then the packers got crazy.

Q. We find that in a great many places in 1908 the price rose from what it was in the beginning, and towards the close of the season there was a good deal of competition, the canners were evidently very anxious to get the fish, and that is what ran the prices up.—A. Are you talking about this county?

Q. Not about this county in particular, of course we have only just struck this county, but in other counties it did happen?—A. Yes.

Mr. Webber, Fishery Officer.—I can say that there is very severe competition here on account of steamers coming in here. Mr. M. Neville's steamer ran in here and the Roberts, Simpson & Company's steamer from Halifax also runs in here, and they buy not only the market lobsters but the canning lobsters also, so that competition here is very keen.

By the Commissioner:

Q. Do you export your own lobsters or sell them to the cannery here?—A. Export.

Q. Where is your principal market?—A. Liverpool.

Q. What is the principal part of your pack here, in what shape do you export them generally?—A. Half pound flats.

Q. What would be the consequence, in your opinion, if the law with regard to the 9-inch size limit were strictly enforced here?—A. I think the packers would go out of business, and I think that the fishermen would also, in a year or so, be out of business themselves, because they would have to send their fish to the United States and it would not pay them, they would get nothing for them.

Q. There would be such a large quantity of lobsters poured into the United States market that it would spoil it?—A. Yes, those of us here who are in the business know, we do not ship anything, we know that the alteration in the size limit in Boston from 10½ to 9 inches has ruined the big lobster business here.

Q. Do you think there is any more disposition on the part of the fishermen to observe the regulation with regard to the berried lobster than there used to be?—A. Oh yes, in our section of the coast the berried lobsters are looked after in good shape, we never see a lobster come in washed now where five years ago you would.

Q. Do you think that you are beginning to realize any benefit from that?—A. Oh well, we must.

Q. Do you think that the decrease in the fishery has stopped? In some places they say they do not recognize any decrease at all the last five years, that the decrease took place years ago.—A. Well, with regard to this county I do not see very much decrease at all.

Q. There is no decrease in the total output?—A. That is what I mean, there is no decrease, they may have to fish a little harder for them, of course you cannot go by this year, which was poor on account of the bad weather in the beginning. Of late years I know we have packed what we always did, of course 10 or 12 years ago it was different.

Q. What proportion of the total catch do you think is below the legal size limit?—A. I haven't very much idea about that.

Q. How do they run in your cannery?—A. This season they run a little over 6.

Q. Do you think it varies from season to season?—A. Oh quite a bit, some seasons they are quite a bit, larger than others, but this season our lobsters went 6, that is from 10½ inches down.

Q. That is not including market lobsters. Are you in the habit of canning everything or do you export any?—A. We export the large ones, from 10½ inches up, but not from 10½ inches down, the mediums.

Q. You can from the 10½ inches down?—A. Yes.

Q. Have you given any thought to that question of the export trade? A great many people are of the opinion that it would be better to cook the lobster here and

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export it in cold storage rather than sending it alive to the market.—A. I do not think we could do that here, I have never given it a thought.

Q. It is the opinion of a great many people that the lobster must deteriorate by the delay in transport, and by the fact that it is taken out of the water and then shipped in cars to Boston and put in cars there again and all this time the lobster is losing in quality and cannot be nearly as good as if it were cooked immediately on being taken from the water, and chilled. They say that a better product could be put on the market if the lobsters were exported in a cooked and chilled condition, and they could be sent to more distant markets.—A. They could only do that in Boston, I would say, I do not think we could do anything of that kind here.

Q. Could they not be shipped from here frozen?—A. We would not have the conveniences to do that, it would not be easy to do that here, I think.

Q. Has any attempt ever been made, within your knowledge, to ship lobsters alive to the old country?—A. No.

Q. To what do you attribute the decrease that is supposed to have occurred in the lobster fishery, to overfishing and the destruction of the egg lobster, or to what cause?—A. As far as I know it is on account of the weather; we always pack as many cases of lobster now as we did, that is if we have a decent spring.

Q. You do not think there has been any decrease?—A. Oh, there must be some decrease, of course, but there are a great many more traps to catch them and we get them anyway.

Q. Would you favour reducing the size limit to 7 inches, that has been suggested?—A. Yes.

Q. And in return for that what would you propose to do?—A. I would propose to have these traps.

Q. Made according to standard?—A. Made so that the small lobster can get out.

Q. Do you think there is really anything in that? There are a great many fishermen and canners tell us there is nothing in that?—A. There is enough in it that if you had the laths far enough apart to allow the lobsters from 7 inches down to get out there are lots of them would go, otherwise they would not.

Q. What would you fix the standard at?—A. As to the laths I could not answer that because you would have to find out what space it should be, according to the size of the lobster.

Q. It is undoubtedly the fact that in your lobster fishery when it first commenced the space allowed was an inch and a half, that is my experience, and that they have gradually narrowed that space down; now there must have been some reason for that and it must have been to hold the small lobsters. That has been the experience in connection with all fisheries, it has been the same with regard to the whitefish and the herring in the Great Lakes, that as the fishery has been overdone the fish have decreased in size, and the mesh in the nets has been continually made smaller and smaller. Apparently it is the same with regard to the lobster.—A. It seems to be.

Q. What would you say to abolishing the size limit altogether and trying to regulate that matter by means of the trap? The size limit is a difficult regulation to enforce, and it has been suggested that you could to a large extent regulate the size of the lobster taken by the space between the laths in the trap.—A. That is the 7-inch lobster or whatever it might be?

Q. Yes, by having such a space between the laths as would allow a certain proportion of the small lobsters to escape.

Q. The way I would regulate it would be to have a size limit of 7 inches and make the space between the laths accordingly so that it would let the lobsters from 7 inches down escape.

Q. If you had traps arranged in that way, that would be in the nature of fixing the size limit at 7 inches, but as it is the existing regulation is a very difficult one to

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enforce—A. There is only one way to enforce that, and that is to appoint a man to go around to the fishermen. He could do much more that way than by going to the packers; advertise it first, and let him tell the fisherman what he should do, that he should put his laths one inch apart, or whatever the space may be, and he will do it, and then let the officer come around every spring and see that the traps are built that way.

Q. And what about the traps that are already in use?—A. Most of the traps were smashed up this spring. I know that up our way there were not 20 out of 100 left. There would be only one thing I can see, and that is to advertise, you cannot get a thing of this kind in motion in half a year, but tell the fishermen when they are making the traps for next season to make them in that way.

Q. Warning would have to be given in any case, but it would be perfectly correct to say that the traps made from a certain date forward must be of a certain standard, and I would suppose that where the average life of the trap is reckoned at about 3 years, what with wear and tear the whole of the traps would be renewed in 3 years.—A. That would give the fishermen a chance, if it were put that way that what new traps they made each year would be made according to the standard.

Q. And every one of the old style would, within about three years, disappear?—A. The way it is now if a man had his old traps ready he could not help it, but most of the fishermen haven't yet got their traps ready for next season.

Q. But such a regulation could not go into effect for next season. Is it the case that canners are compelled to accept undersized lobsters against their inclination and interest for fear of losing their fishermen?—A. No. I not think it is; they need not take them if they do not want them. But the fishermen will get the small lobsters, and they will tell a yarn to one smackman, and that smackman will tell our smackman that they are going to take them, and so they get the thing going.

Q. We have had a lot of canners who tell us that if they are too scrupulous about receiving the undersized lobsters the fishermen will sell them to the other canners who are less scrupulous.—A. If one canner will not take them the other one will.

Q. Some canners have told us that if they did not take the small ones they would not get any. What do you think of this proposal to ask the lobster fishermen to take out a license? Do you think there is anything in it, that it will have a good effect and be workable?—A. I do not think that it will be very much good, they will do the same then as they do now.

Q. What do you think of the practice of issuing canning licenses to aliens?—A. Well, I do not know, I think the way the thing stands now there are enough licenses.

Q. A good many licenses are held by firms that are not resident in this country, although they employ Canadian operatives, and the materials are all bought in this country; but some people, as you know, have been strongly opposed to the issue of licenses to alien companies.—A. Well, that is a pretty hard thing to stop, I guess, but we haven't any here.

Q. On the other hand it has been suggested that they were largely the pioneers in the business?—A. Certainly they were, when it started.

Q. And that they bring nothing into this country except their capital?—A. Of course that does not effect Canada at all.

Q. What do you think with regard to the season? Is the season as it exists here about right?—A. I do not see that we can make any change in it, I think it is about right.

Q. You would not suggest any change in it?—A. No, I think the way it is is about as near as you can get it, that is for this county.

Q. What do you think of this proposition to require a standard of fitness for all licensed canneries, insisting that the cannery must meet certain requirements, that the tables must be made and covered in a certain way, and that certain sanitary precautions

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must be observed?—A. Well, as far as we are concerned we have all our tables, we have everything we require and we cannot make any change in that.

Q. Of course that is not universally the case, we have seen many cases where the tables are not properly covered.—A. All our packers around here have the tables galvanized.

Q. Have the tables ever been covered with marble or glass around here?—A. No.

Q. What do you think of the proposition to subject the product of the cannery to inspection?—A. I do not think there is any need of inspection, we have clean water and everything that is necessary to put up our goods in first class style; of course there is nothing to prevent an inspection if necessary.

Q. That is not universally the case, do you think it would be a protection to the good and the careful packer to have a government inspection?—A. I do not think so, no.

Q. Do you think the individual fishermen would make more money if they were allowed to can for themselves than they would by selling their product to the cannery?—A. No, they would not make as much.

Q. Are you aware of complaints made by fishermen that the price paid for lobsters by the canners is unsatisfactory?—A. I am aware that they make the complaints, yes.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of the canners to operate their factories, although a supply of lobsters was available. Have any such instances come under your notice?—A. No, not in our district.

Q. That has happened in this way, you know that in some places where there has been friction between the fishermen and the canner and canners have refused to give the fishermen what they asked, they have shut down altogether and left the fishermen without any market for their lobsters, although the canners held a license.—A. No, we haven't anything of that kind here.

Q. Have you any information to offer in the matter of hatcheries or pounds?—A. No, I haven't any knowledge about them at all.

Q. Would you favour the establishment of hatcheries?—A. Yes, I think I would.

Q. You would not get very many egg-bearing lobsters for the hatcheries here when you knock off fishing on the 31st of May?—A. Well, there are not many seed lobsters at that time of the year.

Q. Not at that time?—A. Of course, I suppose there would be lots of seed lobsters if the fishermen brought them in as they used to years ago, but they have not been bringing them in.

Q. Have you any idea of the spawning season of the lobster in this locality?—A. No, I have not, but I understand it is in August.

Q. Now, as to the matter of pounds, do the facilities exist along this coast for the establishment of pounds?—A. Well, they do not at our place, so far as I know there are none here.

Q. A great many people are of opinion that pounds have certain advantages over hatcheries, in fact that they more nearly approach the natural conditions?—A. Yes.

Q. Is it to your knowledge that there is much or any fishing or canning done illegally here after the close of the season?—A. No.

Q. Has it ever been done?—A. No.

Q. In that connection do you think that the stamping of cases is of any value?—A. I do not see that it is in our district.

Q. Do you know anything about fishing in shoal waters, in bays and lagoons?—A. No, I have never had any experience in that fishing at all. I have heard about it, but I have never done any myself, they say that when the season first opens fishing in the deep water is better, and that the lobsters come into the shoal water as the weather gets warm.

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Q. Do you think that at the close of the season when they are in shoal water, a larger proportion of small and berried lobsters would be taken?—A. I haven't any idea about berried lobsters because for years we have not been taking them, the fishermen have been looking after the berried lobsters.

Q. What wages are paid to the principal hands in the cannery, what does your foreman get?—A. I do not know, I am the foreman at our own factory, and I do not get much.

Q. What is the ordinary wages of the sealer?—A. The average wage is about \$35.

Q. And he maintains himself?—A. No.

Q. You maintain him?—A. Yes.

Q. And the girls, how much do they get?—A. They get from \$12 to \$15 per month and boarded.

Q. Can you give me an idea of the cost of putting up a case of lobsters?—A. That will be proportionate to what we pay for them.

Q. On the basis of what you do pay for them?—A. At any particular season?

Q. At any portion of the season?—A. I know that last year we put up cases that cost us \$16 to the case when ready for shipping, that is for labour and everything, and we got \$15.40 for them.

Q. If any increased fee were charged the canner would it ultimately come out of the fisherman? Would it be charged up as part of the cost of preparing product?—A. Not the way we have been doing it, we have been backing each other so that I think if 25 cents a case were put on it would come out of the packer.

Q. Would it not ultimately come out of the fisherman?—A. I cannot see it that way.

Q. Is there anything else you would like to state or have you any further suggestions to make?—A. I have nothing more.

Witness discharged.

A. J. MILLETT, canner, Chester.—I have heard what the other witnesses have stated and they have fully covered my views, and have fairly covered the conditions of the fishery along this part of the coast.

ARTHUR STANFORD, canner, Chester.—I also agree with what has been stated by the other witnesses.

JOHN A. WEBBER, fishery overseer, Chester.—I expected a large number of fishermen from the Tancook Islands, but the herring struck in the night before last and they cannot come in, they are too busy.

Commission adjourned.

WEST DUBLIN, September, 9, 1909.

JOHN HIMMELMAN, fisherman, LaHave Island, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. About 25 years.

Q. Always on this coast?—A. Yes.

Q. What is the condition of the fishery to-day compared with what it was when you began?—A. A lot of difference.

Q. Please describe in your own words what the difference is?—A. Well, I will tell you what I would like to say. I am well aware that lobsters have been taken these

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last years, everything, small and big, and we think that is the cause why the lobster fishery has gone down compared with what it was when I first began to fish, it was all right then.

Q. What number of traps did you fish at the commencement?—A. About 100 traps.

Q. Was that a single-handed boat or a two-handed?—A. Two men.

Q. What were the lobsters like in those days?—A. They ran a great deal larger than now, and you would get more than as many again as you get now.

Q. You caught some small ones then?—A. Yes, but nothing like as many as we catch now.

Q. Can you compare the catch that you first made with what you catch now?—A. The first that we knew of lobster fishing there were no factories, we used to fish lobsters and take them to Hlave River and peddle them; we caught the fish at any time of the year we liked then, we did not have to go far for them, but caught them right around home.

Q. How long did that condition of things continue?—A. It was not very long before we were obliged not to take any in the close season.

Q. And then the canneries were established?—A. Yes.

Q. And the fishery became general and more people worked at it?—A. Yes, every year more would commence.

Q. And you fish more gear?—A. Yes, I fish about the same quantity now as I did then, about 100 or 110 traps, but I do not always have the gear, because there is so much of it smashed.

Q. When do you commence?—A. I do not think there are any persons now fish before the 10th of April.

Q. Do you fish in December?—A. Yes, we fish in the winter.

Q. The season opens here on the 15th of December and closes on the last day of May?—A. Yes, sir.

Q. What is the best time of your fishery, when do you do best?—A. The last of April and up to the 20th of May, that is in the spring time.

Q. Do you not do well in December?—A. Oh, there are some lobsters taken then, but I would rather see none at all taken for the time, sometimes we do a little in the fall of the year, but not much.

Q. Are there as many fishing in December as there are in April and May?—A. No.

Q. What do you do with your lobsters?—A. Sell them to the factory.

Q. How many factories have you operating here?—A. Only one, Mr. Wamboldt.

Q. How about January?—A. There is no fishing done here.

Q. And February?—A. There is very little; we may fish for a while in January up to around the 15th or the 20th. Every person hauls his gear ashore, but sometimes they haven't any to haul ashore, the weather is bad, it is cold, and the lobsters are scarce then.

Q. When does the spring fishery begin?—A. From the 1st to the 10th of April, some persons commence ahead of others.

Q. In what depth of water do you begin?—A. Fourteen or 15 fathoms.

Q. Do you fish there throughout the season?—A. No, some we leave in deep water, and some traps we move in to 8, 9, 7 or 6 fathoms of water.

Q. Why do you move into shoal water?—A. Because the lobsters are coming in.

Q. In the total quantity of lobsters you catch what proportion will be below the legal size limit of 9 inches?—A. I tell you, the way they were these last years, they run almost half below that.

Q. What do you do with those small lobsters, are they all brought to the canner?—A. Oh, yes, they were all sold the last couple of years.

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Q. He does not make any trouble about taking them?—A. No, nothing was said the last two or three years, and as long as there is nothing said the fisherman will take all he can get.

Q. Has the law ever been enforced?—A. It never was, there has been talk about it from time to time, but no systematic effort has ever been made.

Q. Was that so from the beginning?—A. No, it was only within the last eight or nine years that we got these little lobsters, but whenever we catch them they are always sold.

Q. That is to say that the smacks come around and the lobsters are taken?—A. Yes.

Q. In the early years were the lobsters smacked to the cannery?—A. Yes, they always came and collected them.

Q. And you expect the smackman to take all you have?—A. Yes.

Q. What was the practice with respect to the berried lobster?—A. We put them overboard when we get them.

Q. Was it never the practice to brush the eggs off?—A. Not that I know of, I could not say that I ever saw a man doing it.

Q. You say that the egg lobster has always been protected here?—A. Yes, every man that I know of always said he put them overboard when he got them.

Q. What is the percentage of the egg-bearing lobsters? How many would you expect to get out of 100?—A. In some hundreds you would not get one and in others you may get two or three.

Q. Do you find more of them at any particular period of the season than you do at another?—A. No, we do not; last spring there were very few, that was in our boat, but some boats will get more than others, because in some places there are more egg lobsters than there are in other places.

Q. Would you expect to find more in the shoal water late in the season than in deep water where you are fishing early in the season?—A. No, I do not see any more in the fall of the year than in the spring; there are not very many at any time.

Q. How is it with the fishermen here generally, do they own their own boats and gear?—A. Yes.

Q. They are not supplied by the factories?—A. No, we have our own boats and gear always.

Q. Is any portion of your catch shipped alive to market?—A. Yes, I think the big lobsters that are above 9 inches are shipped from the factory here by Mr. Wamboldt.

Q. But you sell them to the smackman?—A. Yes, we sell them to him, but what he does with them I cannot say, but I hear them say that the large ones are shipped.

Q. Is the bulk of the catch here canned? Or do the shipments of live lobsters amount to a considerable portion of the catch?—A. Most of the lobsters are canned.

Q. Have you any idea as to which branch of the fishery would pay the fishermen best, to sell to the canner or ship the lobsters alive? You are paid different prices for them, are you not?—A. Oh yes, we are, but I do not know how that would work. I know that neighbours around here have crated their lobsters and sent them away to the States and they have done pretty well.

Q. That is the fishermen who have shipped their own lobsters?—A. Yes, and they have done pretty well.

Q. What size do they ship?—A. The big ones, 10½ inches.

Q. They can ship to Boston down to 9 inches now?—A. I know.

Q. Do you think all the 9-inch lobsters go to Boston?—A. Yes, last spring I think the biggest part of them went, that is from round about here.

Q. What do you receive for your lobsters?—A. Last year we got 8 cents and \$3 or \$2.50, \$8 per hundred for the big ones and \$2.50 for the others.

Q. You sold the big ones at so much apiece?—A. Yes, 8 cents a piece, and the small ones were \$2.50, that is the nine inch lobster.

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Q. Do you sell the canning lobsters by weight or by count?—A. All by count.

Q. And does everything count?—A. Yes.

Q. How small lobsters do you send to the factory?—A. There are some quite small, we sell everything we catch.

Q. What do you call quite small?—A. A 7-inch lobster, and some 8.

Q. The 4, 5 and 6 inch lobsters you do not bring in?—A. No, not any as small as that.

Q. You said you got \$2.50, did you?—A. Yes.

Q. And last year what did you get?—A. That was this last spring.

Q. I mean the year before, what did you get then?—A. I think we got \$10 for the large ones and \$4.00 for the small ones.

Q. You got 10 cents for markets and 4 cents for small lobsters?—A. Yes.

Q. How is that price arranged? That is a very good price, you did not always get that price.—A. No.

Q. Who establishes the price?—A. The men that come around I suppose, they have orders from their factories to pay such a price.

Q. Who do you settle with, the smackman?—A. Yes, he pays us right away for the lobsters.

Q. As you give them to him from the boat?—A. Yes, right as they come from the boat.

Q. Are there smackmen from rival factories? Do some pay more than the others?—A. We do not know, a great many men stick right to the one boat, but there are other boats that will pay a little more.

Q. There is some competition among the smackmen?—A. Yes, there is competition between them.

Q. And sometimes one will pay more than the other?—A. Yes, if the man has 500 or 600 good lobsters the smackman will pay a better price so as to get them if he cannot get them for less.

Q. So that the price is not fixed before you begin fishing?—A. Yes, they say, 'We will give you \$3 or \$5, or whatever the price is before we begin fishing, and that is what we commence on.

Q. And you think that the practice of stripping or washing the seed lobsters is not followed now?—A. Not that I know of here.

Q. Does the smackman object to taking lobsters with eggs on them?—A. I do not know anybody at all in any of the boats that we sell to that ever takes the berried lobster.

Q. They will not take them?—A. Not if they know it, oh no.

Q. As to this decrease in the fishery, do you think that it is going on still?—A. Yes, it was going on last spring just the very same.

Q. This has been a bad year, has it not?—A. Yes.

Q. But even when the fishery was good you had bad years in the lobster fishery the same as in other fisheries, had you not?—A. Yes.

Q. When you first began fishing did you have bad years then like you do now?—A. Oh no, the lobsters were much better then than now, every year it is going down, much smaller.

Q. Various propositions have been made to the department as to what should be done to prevent this, what is your idea?—A. I think it would be a very good idea to have the winter fishing for lobsters stopped altogether, that is what I would like to have for my part, and to commence around the first of April and fish to the first of June, and then take the traps out and do no winter fishing at all. A good many fishermen would be satisfied with that, they all appear to say it hurts the spring fishing a lot.

Q. That is to say that the lobsters are cut off then?—A. Yes.

Q. Are you fishing the same traps now that you used to when you began?—A. Do you mean the same amount of traps?

Q. When you began fishing you used the old double ender trap, did you not?—A. Yes, but we do not use them now.

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Q. You use the parlour trap, do you?—A. The diamond traps, we call them.

Q. That is a smaller trap again?—A. Yes.

Q. When did you first begin using that trap?—A. I can't tell how long ago, it was 6 or 7 years.

Q. What led to the change in the style of trap?—A. We found that these were better; when the lobsters were plenty some time ago we could catch fish in any kind of trap at all that would hold the lobsters, but we find that these traps are handier to handle.

Q. Do they not hold the lobsters better than the old-fashioned trap?—A. No, I do not suppose they do, but we find them handier.

Q. Do you leave as large a space between the slats now as you used to, or are they closer together?—A. The last few years we have put them closer together.

Q. What gauge do you use now in setting the laths?—A. About one inch or one and a quarter apart, not any further than that.

Q. A pretty good sized lobster ought to get out of an inch and a quarter opening?—A. No, the lobster that will go through an inch hole is a pretty small lobster I think.

Q. And what mesh do you put in the ends of your trap?—A. About 3 inch.

Q. Do you fish your traps on trawls or single lines?—A. Single lines.

Q. Do you use hoop nets at all here?—A. We used to, but there are none used any more.

Q. How did you come to give them up?—A. We used to go lobstering nights, and we found that did not work very well so we gave that up.

Q. Do you think it would be possible to allow a larger proportion of small lobsters to escape by insisting upon a certain space between the slats in the trap?—A. Yes.

Q. We find that in some traps the slats are a little more than a half inch apart, and in many of them they are only three-quarters of an inch.—A. Yes, that will keep a small lobster in.

Q. What would you say should be the space allowed, if you were making regulations with a view to protecting the lobster, what would you do?—A. I think it would be right to sell the lobsters to 9 inches, and what would be below that should not be taken at all.

Q. Then you think the law as it exists should be strictly enforced?—A. Yes, below 9 inches there shouldn't be any lobsters taken here.

Q. Have you discussed that matter with other fishermen?—A. Well, I think all the lobster fishermen around this place now would agree, we agreed to put all in the water below 9 inches.

Q. Would that not cut off fully one half of your catch?—A. Well, it would very nearly do that, that is the way it was going these last few years.

Q. How would it affect the canners?—A. They would like to get all they could, no doubt, but the fishermen that are living around here have to look out for their own benefit.

Q. Is there any Fishermen's Union here in this neighbourhood?—A. No.

Q. Then you think it would be right to fix a standard trap, I suppose we could not alter the old traps, but it might be made a rule that all traps made after this date should have a certain space between slats. You think that would be fair and reasonable?—A. There are a large number of old traps, but they would soon be got rid of because every year we have to make a lot of new traps.

Q. Then I understand you to say that you would favour a strict enforcement of the law, and you would prefer to have the winter fishing done away with?—A. Yes, I think all fishermen would agree to have the winter fishing stopped.

Q. Do you think that there are canneries enough licensed at present? You know the policy of the department for some years back has been to restrict the number of canning licenses, and not to issue any more, what do you think about that?—A. I do not know about that.

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Q. The idea of some people is that if there were more canneries there would be more competition for the lobsters and the price perhaps would go up. Do you think that would follow?—A. I do not know, of course I suppose that if there were two or three factories around the fishermen might get more for their lobsters.

Q. If there were more factories would there be any more fishermen fishing than there are now?—A. I think not, I think we have all the men fishing now that would fish, of course there are young people growing up all the time and there may be two or three more. There is only one factory around this place, and if there were a second one it would be a little better.

Q. Are the fishermen satisfied with the price they get for their lobsters?—A. We have to be satisfied, we have to take what we get, if we want to fish at all we must take what is offered, but we would like to have more, that is sure.

Q. Last year was a pretty good one?—A. The season before this we got a pretty good price, but this year it was pretty small.

Q. Have you any idea what made the drop?—A. No, I have not.

Q. A great many remedies have been suggested to the department with a view to improving the condition of the lobster fishery, some people recommended that all lobster fishermen should be licensed, that they should apply to the fishery overseer in the spring and take out a form of license, they probably would not have to pay anything for it, and on this license the regulations would be printed, and they would be signed by the fishermen. The idea is that having signed the regulation the fishermen would be more careful about violating the law and would liberate the small lobsters and see that the berried lobsters were protected, and that perhaps they would be ready to inform on their neighbour if he were violating the law?—A. It would be a very good idea to have extra men to look after such work, and to see that no small lobsters were taken.

Q. I do not mean that, but that every fisherman, having taken out his license, it would practically make him a fishery overseer himself?—A. If every man knows the law he knows what he has to do.

Q. What I mean by that is, do you think that the fishermen having taken out their licenses would feel themselves bound to observe the regulations more than if they had not, would it have that effect?—A. I do not know, we all know now what are small lobsters and what are big lobsters, and we know what are 9-inch lobsters now.

Q. Would you favour closing down the canneries altogether?—A. I do not know what to say about that, I would not like to hurt people if I could help it; of course lots of poor people like to can lobsters and to make their living out of it. I know one man out here, Mr. Wamboldt, is a poor man, and if he could not have his factory going it would do a lot of harm to him.

Q. Is it a large factory?—A. No, I do not know that it is.

Q. How many cases does he pack, do you know?—A. I do not know, I could not tell you that, I have heard them say 400.

Q. You know that a strict enforcement of the 9-inch limit would close up the canneries?—A. Yes.

Q. Would you find a large enough market for your lobsters above the 9 inches if all were exported and none canned?—A. There are quite a lot of fishermen and a lot of lobsters, and I do not know that every man around here could crate his own lobsters and send them away, I do not know anything about that.

Q. How are they sent to the market?—A. You have crates, and you put so many in a crate, 75, 80 or 90.

Q. How do you ship to Boston?—A. They go to Halifax, and from there to Boston.

Q. The steamer comes along and takes them how often?—A. I could not tell you how often they are shipped from here.

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Q. Do you think that there is any combination on the part of the packers to keep down the price paid to fishermen?—A. I suppose they like to get the lobsters as cheaply as they can, anyhow.

Q. You told us that the smackmen came along, and sometimes one smackman would offer a little more than the other?—A. Yes, I know that has been done.

Q. That would mean that there is some competition?—A. Yes, I know that has been done pretty often.

Q. Did you ever have more canneries here than you have now?—A. No, we never had any more.

Q. How near is the nearest cannery?—A. There was one year two factories were running here, but I think it was only one year.

Q. What are the nearest factories to you?—A. Mr. Wamboldt's, out here.

Q. I mean the others, on each side of you?—A. There are none nearer than 25 or 30 miles on each side of us.

Q. So that there is not much canning done here?—A. No.

Q. Can you give me any idea of the number of boats engaged in this neighbourhood in lobster fishing?—A. I could not.

Q. I think you have told us that the best of your fishing is in April and May?—A. Yes, the best of our fishing.

Q. Do you think that the lobster comes inshore to spawn?—A. Oh, yes, I should say that they would, no doubt about it, I guess they work on shore more than any other fish, according as the warm weather comes on, they work to the shore.

Q. We generally suppose they come into the warm water to spawn?—A. Yes.

Q. When you used to fish longer than you do now did you find more seed lobsters inshore?—A. Oh, yes, when we used to fish later.

Q. It has been suggested by some of those who gave evidence last winter before parliament, that we should do away with the size limit altogether and regulate the space in the traps so that it would allow a fair proportion of small lobsters to escape. You know that the size limit is a difficult thing to enforce?—A. The small lobsters go into the traps, no doubt.

Q. Do you think if we had a $1\frac{1}{4}$ or a $1\frac{1}{2}$ -inch space that the small lobsters would go out of the traps, or would they stay in them?—A. No, they would go out of the traps.

Q. You think we would gain something by regulating the space between the slats in the traps?—A. There would not be as many small ones caught, I suppose.

Q. What would be a fair mesh to have in the heads of the traps?—A. $2\frac{1}{2}$ or 3-inch, that is a pretty small mesh, and the lobster that crawls in or out of it is a pretty small lobster, but that would not save all the small lobsters from getting in the traps, because no matter how large the net or the space is you will get some small lobsters.

Q. It appears that all the small lobsters that stay in the trap are taken and go to the cannery?—A. Yes.

Q. The idea is that if we have a larger space between the slats a larger proportion of them would escape?—A. Oh, yes, there would be some that would.

Q. It is from the practical fisherman, you know, that we have to get information as to that?—A. Oh, yes, there would be small lobsters getting into the traps, but there would not be so many of them taken.

Q. Do you think a 9-inch lobster would go out through an inch and a half opening?—A. No, he would not go through one and a half inch.

Q. A very considerable lobster will go through a small place sometimes, I think?—A. A 9-inch lobster will not go through a one and a half inch space.

By Mr. Whitford:

Q. Would he go through $1\frac{5}{8}$ inches?—A. I would not say that he would not go through that, but he would not get through $1\frac{1}{2}$ inch.

Witness discharged.

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CHARLES HIRTLE, fisherman, LaHave Island, called and sworn:—

By the Commissioner:

Q. How long have you been connected with lobster fishing, for how many years did you fish lobsters?—A. About twenty years off and on.

Q. Always from this coast?—A. Always from this coast.

Q. What is the condition of the fishery now, or what was it when you left off a year ago, compared with when you began?—A. It has gone down to nothing compared to what it was when we commenced first.

Q. Has it been going down steadily year by year?—A. All the time.

Q. And is it still decreasing?—A. Yes.

Q. When you began fishing what number of traps did you fish?—A. I used to fish up to 150, 160 and 175, and then I came down until I only fished about 75 at last.

Q. In what depth of water did you usually fish?—A. I never fished outside, but in the harbours, the other men fished deeper than I did.

Q. In fishing around the harbour would you get as good a run as the others did in deep water?—A. Generally we do at the latter part of the season, we would not at the first part of the season, but as the season advances the fish come in.

Q. Do you always fish in the same water, or do you move inshore?—A. I used to fish closer inshore towards the last.

Q. What was the season when you first began?—A. We could fish the whole year through, that was at the time before any regulations were made but during recent years the regulations were that we could only fish during the spring, and then when the winter fishing came on we had two fishings, but I think the fall fishing was the worst one.

Q. In early times you did not have any fall fishing?—A. No.

Q. When did you first begin to fish in the winter?—A. About five years ago.

Q. I think you must have begun fishing earlier than that, I think the winter fishing began in 1898.—A. They fished to the west before we did here, this has been about the last county, I guess, around here, to fish in the winter.

Q. To what do you attribute the falling off in the lobster fishery?—A. I claim they must be reduced, because the fishery will not hold up to it.

Q. What brought that about?—A. Taking too many fish out of season, the fish cannot grow fast enough.

Q. What proportion of the lobsters caught would be under 9 inches when you began fishing?—A. There would not be many, they ran large.

Q. And what is the proportion now?—A. Well, now there are one-half.

Q. What was the practice with regard to the berried lobster, was she always put back in the water?—A. Most generally, I know from the time I commenced to fish I used always to put her back in the water.

Q. Because in some places you know we find that the berried lobster was either taken directly to the cannery with the eggs on her, or where the canner refused to accept her in that state the eggs were brushed off. Do you think that the practice was ever followed here, because if it was, it must have had a bad effect.—A. I never saw it in all the years I have been around here.

Q. You think the seed lobsters have always been protected?—A. I think so, as far as I know.

Q. You think the fishermen understand the necessity of preserving that lobster?—A. They all claim they do, and they claim they put them back in the water again.

Q. How many boats are selling lobsters to this cannery here?—A. There were about seven boats, I think, last year.

Q. Only seven boats supplying the cannery?—A. Oh, selling lobster. I thought you meant buyers.

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Q. You mean there were just seven smacks?—A. Yes, I could not give you the exact number of boats fishing, but I suppose it would be 75 or 80 fishermen.

Q. Are most of the fishermen here engaged in the lobster fishery?—A. Lots of them are, all around our way.

Q. And do these men when they have done fishing lobsters follow the deep sea fishery?—A. Yes, all our fishermen that fish lobsters go to the deep water fishing, they fish the year around.

Q. Is there any other fishing here in April and May? Is there cod fishing, herring, mackerel or anything of that kind on then?—A. Yes, last April or May the cod fish struck here, and the mackerel struck here about the 15th of May; this year we had the herring in April, some seasons they are earlier than others.

Q. That depends a good deal on the weather?—A. Yes.

Q. Is there a great deal more gear in the water now than there would be 15 or 20 years ago?—A. Yes, any amount of it more.

Q. Do you think an increase in the number of factories would mean more fishing, or is everybody fishing lobsters to-day that could fish out there?—A. Yes, everybody; I suppose it would average 100 traps more to a man than it used to, and the number of fishermen is increasing all the time.

Q. And are they going further out into deeper water?—A. Yes, more than they used to.

Q. How far out do they go?—A. Not very far on this shore.

Q. How deep do they go?—A. Seventeen or 18 fathoms, I think they take for it, that is some of them, others do not go as far, they cannot.

Q. Do you think that the female lobsters come into shore to spawn?—A. I have an idea that they do.

Q. What is the spawning time here, do you think?—A. July and August.

Q. When you used to fish later in the summer than you do now did you notice there were more female lobsters about the shoal waters?—A. I guess there were.

Q. When the hoop nets were used, they were generally used in shoal water and late in the season?—A. Yes.

Q. Do they catch a larger proportion of seed lobsters?—A. The way it has been they are not used here at all.

Q. But where they do use them, in some places, they claim they get a larger proportion of female lobsters and small lobsters?—A. Oh, they kill more seed lobsters in that way, because the egg fish comes to the shore, and when you begin to use these hand traps you will catch them, more so than in the ordinary trap, so that I say those hand traps should not be used at all now.

Q. Are all the fish over 9 inches sent away to the market, or are some of them canned?—A. A good many of them are canned around here.

Q. Is there a very large export trade around here?—A. It is not much any more.

Q. The principal trade is canning.—A. Yes, the prices were small, but this last season was pretty fair, that is where we were fishing, there are not many of our fishermen who ship around here, but they sell to the canners. The lobster fishing has gone down so far now that we do not get enough to make any shipment at all now.

Q. As to the matter of price paid by the canners, has the fisherman any hand in that at all, or is it fixed by the canner?—A. I guess the price is fixed by the canner, at least it was during the last twelve months.

Q. Is there any competition? Does one smackman offer more than another?—A. Often times they do offer more than the other man in order to get the fish.

Q. Then if that is the case there must be some competition?—A. Oh, yes.

Q. The fishermen in some places have complained to us, and they complained to the committee last winter, that the canners have fixed a price and will not go beyond that?—A. They would not go beyond that, and it was a very small price that we had around here.

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Q. Does the canner take everything you bring to him?—A. I guess not.

Q. In what way?—A. They take what is lawful.

Q. You think they do not take the small lobsters?—A. I do not know anything about that part of it.

Q. If the canner were confined strictly to the 9-inch lobster, do you think he could continue to pack?—A. They claim they do.

Q. Have the regulations been generally enforced here?—A. Yes.

Q. Would you suggest any change in the regulations?—A. Well, there should be, I think.

Q. What would you say?—A. I rather think we should not have that winter fishing.

Q. For what reason?—A. They say that the fish will not run up to it at all, they do not grow fast enough for that.

Q. You think the season is too long?—A. The season is too long.

Q. How would it do to shorten it at the latter end, take the month of May off instead of the month of December?—A. I think that the fishermen would like to have the spring fishing for a few months and not the winter fishing.

Q. What would you fix the spring fishing at?—A. April and May, those are the two principal months, they do not fish a great deal before that, I think that is what they would like most to have; it may be all right to have winter fishing in some places but it is not right around here; no doubt if we had never had the winter fishing our fishery would have stood just as good as it ever did.

Q. It is generally supposed you know that during that winter fishing you do not catch so many of the female lobsters?—A. My idea is that the female lobsters come ashore to egg, and that in the fall they trap, that is my idea about it.

Q. Do you know anything about fish hatcheries and pounds and anything of that kind?—A. No, I never went through them, and I do not know anything about them.

Q. Would you venture to say whether there should be more fish hatcheries or not?—A. They have them in other places and I guess they turn out all right.

Q. In other places they fish later in the season than you do; where they fish much later, in June and July, they get egg-bearing lobsters for the hatcheries, but the question is, where your fishing ends at the last of May whether you would get enough egg-bearing lobsters to run a hatchery?—A. Well, there are always some around, but you might not have enough to supply the hatchery.

Q. Do you think the fishermen would make more money generally by doing the canning themselves instead of selling lobsters?—A. I do not know anything about that part of it.

Q. Would the fishermen in this district find a market for their lobsters if the canneries were closed?—A. They would only have one market to go to, the American market, and if they all commenced to ship their lobsters into that market the price would soon be quite small.

Q. Would not that be what would happen if we stuck to the 9 inch limit closely, it would put the canner out of business?—A. I suppose it would.

Q. And then you would have to fall back on the market fishing, and if everybody went into that would not the price drop?—A. Yes, lobsters would drop. A good many of us went into the shipping and the price went down.

Q. Have you shipped lobsters yourself?—A. Yes.

Q. What was your experience of it, did you make a fortune at it?—A. The fortune was small, some shipments were all right and some were not, and on the whole we could not get much out of it.

Q. Did you lose many lobsters between here and the market?—A. I found it was just as much gain to sell to the packers as it was to ship in crates to the market.

Q. Do you think that taking it altogether the fisherman will do as well by continuing to sell to the packer as he would by shutting the packer up and driving all the fish to market?—A. I tell you the way it was, last year things were looking pretty dull

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for the packers, the price was small, they cut the price very small on the fishermen, they had it all their own way.

Q. Was that not due to the condition of the market? Do you not think they overstocked the market the year before?—A. They claim that was the case, they say that the market was flooded with fish, and I suppose they had a lot to do with it, there is no doubt about that.

Q. Did they stick at the same price all season, or did it come up towards the end?—A. No, they did not come up in price.

Q. Have you any idea of the price for this next year?—A. No, I do not know, but it is not likely to improve now; if they got it for less price this year there is not likely to be an increase.

Q. How would it do to issue more licenses and let the fishermen do the packing themselves? The department has been doing that for the last two years, if 15 fishermen come and say, 'We are not satisfied with the price we are getting and we think we can do better to take out a co-operative license and can the fish ourselves.' Do you think that would give the fishermen a chance?—A. Yes, there is no doubt it gives the fishermen who want to go into packing a chance.

Q. What do you think of the proposal to regulate the openings in the traps? There is no doubt about it, I am not speaking for here alone, but you know all over the Gulf of St. Lawrence, when I first became connected with the fishery service, we used to fish the old-fashioned trap with an inch and a half between the slats, and we got big lobsters.—A. Yes, that is what there should be.

Q. But as the fishery got poorer it has been narrowed down until in some places it is down to half an inch?—A. We do not find any down to half an inch here.

Q. And in some places they can down until it takes 12 or 14 lobsters to fill a pound can?—A. That is pretty small.

Q. Do you think we could cover the matter, so that a fair percentage of the small lobsters would escape, if we insisted on a regulation space between the slats?—A. Oh, there is no doubt about it, I believe that myself, that the small lobsters if they went in would then have a chance to go out, but when you have a trap with the slats that close together they cannot go out.

Q. Some fishermen tell us it does not make a bit of difference, that the tendency of the lobster when they move the trap is to grab on, and he will not try to get out; what is your experience?—A. I have seen enough of them to know that they will get out if they have a chance, if there is an opening as soon as they have the bait the small fish will crawl out again.

Q. Do you know anything about the matter of pounds? In some places now they are establishing pounds where they put the lobster, the fisherman catches the berried lobster and brings her in and she is put in the pound and retained there until the season closes and then the gates are opened and the seed lobsters are let out. Are there facilities around here, do you think, for the establishment of a pound? You want fairly deep water because the lobster will not live in warm water.—A. Oh, there are places around here, and I suppose if they had a pound around here and you got hold of an egg lobster you would be sure to save her if you had a place to take her to.

Q. There are certain things you must have in order to make the pound a success, a rocky bottom, with deep salt water, a good current running through it and a small mouth or entrance so that it could be easily barred off. Are there any places around here which meet those requirements?—A. I do not know anything about it, but I dare say there are some places around here that if they were hunted up would be all right.

Q. Is there any fishing done around here after the close of the season in May?—A. Sometimes.

Q. Has there been any canning done?—A. Oh no.

Q. What is done with the fish that are taken, are they only for domestic use?—A. For their own use, and sometimes they peddle a few around for a change.

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Q. That is nothing very serious, if it is as small as that?—A. No.

Q. There are no canneries around? In some places they can in the woods you know.—A. Yes, I know that, they get some old building and put a pot in it, but there is nothing of that kind done around here.

Q. And the only change you would suggest is to do away with winter fishing?—A. Yes, I think so, but I am only one man talking.

Q. Do you know the feeling among the fishermen generally on that point?—A. Most of the men I have talked to thought it was a good idea.

Q. Do you think that the live lobster trade is a trade that is increasing?—A. I guess they do a lot of it farther on.

Q. But here there is not much of it done?—A. There is not much of it done here.

Q. Is that because you haven't a chance to do it?—A. Yes, we have a poor chance to do it here. I suppose there would be more men shipping if they got an opening.

Q. At what time do they ship here?—A. They used to ship in the winter time, but they do not ship now.

Q. Is there anything else you would like to add to what you have already said, or have you any further suggestions to make?—A. No, I have nothing more.

Witness discharged.

WILLIS WOLFE, fisherman, La Have Island, called and sworn:—

Q. How many years back does your experience go with lobster fishing?—A. About 20 years.

Q. Have you always fished in this neighbourhood?—A. Yes.

Q. When you are not lobster fishing what do you do?—A. Cod fishing.

Q. Do you fish from the shore or do you go away?—A. Of late years I fish from the shore; I used to go away schooner fishing.

Q. Can you give us any idea of the average amount of lobsters caught by a lobster fisherman here? What weight of lobsters do you catch in your season?—A. I could hardly say; this last year I think it was about 4,000.

Q. Is that canning lobsters?—A. No; altogether, large and small.

Q. That is your catch in the whole season?—A. Yes, to a boat.

Q. Do you think that is about the general run?—A. I should say it would be, as near as I can tell.

Q. Do you do any December fishing?—A. Yes.

Q. How is the fishing in December?—A. Very good.

Q. The lobsters in December are smacked and taken to the cannery, are they? Is the cannery open in December?—A. Yes.

Q. Is the cannery kept open all the winter through?—A. No, not all the winter; they run up to about the last of January.

Q. And then they shut down?—A. Yes.

Q. When do they open again?—A. In April.

Q. At the beginning of April?—A. Yes.

Q. And they keep on canning then up to the close of the season?—A. Yes.

Q. What proportion of your total catch would you say goes to the cannery and what proportion goes to the market?—A. Three-fourths of it go to the cannery.

Q. Then about one-fourth of the catch would be market lobsters?—A. Yes.

Q. Do you think that all of those market lobsters are sent to the market, or are some of them canned?—A. I do not know.

Q. Who sends them to the market, is it the canner?—A. Yes.

Q. Is the bulk of the live lobsters that are shipped from here shipped by him?—A. Yes.

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Q. Are there any fishermen here that ship their own lobsters?—A. Not this last year that I know of.

Q. What number of traps do you fish?—A. 100.

Q. Is that with two men in a boat, or do you fish them yourself?—A. Myself and a boy.

Q. Are they all fished on single lines?—A. Yes.

Q. And are they all the diamond trap?—A. Yes.

Q. What is the particular merit, according to your idea, of the diamond trap over the old-fashioned double-ender?—A. It is lighter to haul and stands more use; that is no doubt the only difference.

Q. I have always understood that the great merit of the parlour or jail trap and the diamond trap was that if you missed a day's fishing the lobsters stayed in them better?—A. Yes, I think probably they may.

Q. But you think that the only advantage of these traps is that they are lighter and you can haul them better?—A. Yes.

Q. You make your own traps?—A. Yes.

Q. How do you regulate the space between the slats?—A. $1\frac{1}{4}$ inch.

Q. What do you use for a gauge, the pole of the hammer?—A. Yes.

Q. And what is the gauge of the mesh in the net?—A. Two and a-half inches.

Q. What do you think of this matter of regulating the space between the slats by insisting upon a standard opening? If it were large enough would it allow a fair proportion of the small lobsters to escape?—A. It would.

Q. That is a matter on which there is a difference of opinion among the fishermen; some say it would make no difference at all and others say it would?—A. It would make a difference, no doubt; if the small lobster sees a hole he is going to get out of it if he can.

Q. How large a lobster would get out through a $1\frac{1}{4}$ -inch opening?—A. An 8-inch lobster.

Q. It is astonishing what a small hole an 8-inch lobster will squeeze through; you would not believe it sometimes?—A. Yes, they will go through a pretty small hole.

Q. In what depth of water do you fish in December?—A. All the way from 10 to 15 fathoms.

Q. In the same water as you do in the spring?—A. Yes, generally I do.

Q. Do you bring your traps ashore or do you leave them in the water all winter?—A. We bring them ashore.

Q. Is that the rule?—A. Yes.

Q. What percentage of traps do you use, taking one season with another?—A. About one-half.

Q. You have to renew about one-half of your traps every year?—A. Yes.

Q. You are not bothered with ice here at all?—A. Yes, we are.

Q. But not with floating ice, it is just ice in the harbour?—A. Yes.

Q. That does not do you any harm?—A. No, I fish in deep water all the spring and winter, I do not move in.

Q. Do you find you do as well as those who come in shoal water?—A. No, I do not do as well towards the close.

Q. Why do you not move in?—A. Because there is no room to move in to where the others are doing better.

Q. It is claimed in those places where they fish in shoal water, in the lagoons and bays, that they get an unfair proportion of egg and small lobsters, what would you think about that?—A. I guess they would get more egg lobsters and small lobsters close to the shore than they would get outside.

Q. Is there any fishing done inshore, inside this island?—A. No.

Q. It is all done outside the island?—A. Yes.

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Q. Do not the lobsters crawl inside the islands?—A. In the summer time, but not in the spring.

Q. Do they come in there to spawn, do you think?—A. My idea is they do.

Q. What is your idea of the spawning time of the lobsters?—A. My idea is that they spawn all through the season.

Q. That is, you find eggs on them all through the season?—A. Yes.

Q. Do you not think that there is some time of the season when the eggs are riper, getting lighter in colour, towards the end of the season?—A. Yes, that is true, they are lighter in colour, I have seen them.

Q. Did you ever see the female lobster with the empty eggs on her after the young lobsters have come out?—A. No, I have never seen them.

Q. As to this matter of the market fishing and canning, that seems to be a serious question for the coast between here and the state of Maine; some fishermen advocate regulations that will put the canning out of business altogether so as to develop and encourage the fresh market trade, what is your opinion about it? How would it affect you here if the canneries were closed up?—A. No doubt we would feel it pretty bad, that is my opinion about it.

Q. Do you think that in this particular place the regulations should be such as to allow the canneries to continue in business?—A. Yes, I would think so.

Q. You said that two-thirds of your lobsters go to the canneries?—A. Yes.

Q. Have the regulations with regard to size ever been enforced, within your knowledge, or has the canner always taken small lobsters?—A. To my knowledge he has always taken them.

Q. About the berried lobsters, do you think the eggs are being brushed off, or anything of that kind done here?—A. Not to my knowledge.

Q. Have you seen many egg lobsters?—A. I have seen quite a few in my little fishing.

Q. And you find them all through the season?—A. Yes.

Q. How many lobsters taken out of your traps do you see with eggs?—A. I see about eight to the hundred.

Q. That is a large average, we do not hear of more than three or four generally?—A. That is my experience.

Q. You own your own boat and gear, of course?—A. Yes.

Q. And all the fishermen here do?—A. Yes.

Q. What is your opinion of winter and spring fishing?—A. My opinion is that winter fishing should be done away with.

Q. In spite of the fact that you do pretty well in December?—A. Yes, we do, but we hurt ourselves in the spring; we would get them just the same in the spring, and we would not be suffering from the cold.

Q. You have heard of this proposition for licensing the lobster fishermen, do you think there is any need for doing that?—A. I do not think so in this place, to my knowledge there would not be any need of it.

Q. The idea is that the fisherman having signed the regulations would live up to the letter of the law, he would be a fishery officer himself practically and would inform on others who violated the law; that might be made a part of the license. Do you think that would be of any value?—A. I do not think, that is to the best of my knowledge, that it would.

Q. What did you get for lobsters when you first began fishing 20 years ago?—A. When I first began fishing we only used to get \$2.00 a hundred.

Q. Did you get as much as that 20 years ago?—A. Yes, I think so. I think I am wrong, it was only \$1.00 we got 20 years ago; they were never so low as 35 cents a hundred here in my time, although it may be that if you went back to the older fishermen you might find that to be the case.

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Q. And what do you receive now?—A. Well, this last year we got 8 cents and \$2.50.

Q. \$2.50 for the canning and 8 cents for the big lobsters?—A. Yes.

Q. What do you call big lobsters?—A. From 10½ inches up.

Q. The 9 inch lobster is not counted a big lobster?—A. No.

Q. Is there any competition at all now? Are there rival smackmen on the ground who are trying to get lobsters each for his own factory?—A. Yes.

Q. And will one give a little more than another?—A. Generally one will give a little more.

Q. You are not bound by any agreement to sell your lobsters to one man?—A. No.

Q. How are you generally paid for your lobsters, right at the boat?—A. Right at the boat, yes.

Q. The smackman carries the cash and doles it out?—A. Yes.

Q. Do you think that the fishermen generally nowadays are more careful about this berried lobster and that they put her back in the water?—A. Yes, I can tell you that as long as I have been fishing lobsters I think she has been taken care of pretty well.

Q. Then it is not the destruction of the berried lobster in this neighbourhood that has caused the decrease in the fishery?—A. I do not think so.

Q. Did you ever remark the size of the berried lobster? What would be the smallest one you ever saw with eggs on?—A. I have seen them down as small as 8 inches myself.

Q. What would you think of doing away with the size limit altogether and fixing the space between the slats in the trap so as to allow the small lobster to escape? Do you think there would be any gain in doing that? You know the regulation about the size is a very hard one to enforce?—A. Yes.

Q. That is why it has not been enforced very generally, it is a difficult thing to do, it would need a man at every factory to measure the lobsters and almost one in every boat?—A. That is right enough, and I think that a certain distance between the slats in the trap would be as good as anything, that is my opinion.

Q. It is a pity to have a regulation like that size limit in the Fishery Act, and then not have it enforced?—A. That is right.

Q. A great many people say it had better be wiped out altogether if it cannot be enforced?—A. That is right, yes.

Q. It is just a question whether if you wipe it out and establish a standard size of trap we would not get at the same results in a different way?—A. That is what.

Q. Some people say we would and some say we would not, do you think we would?—A. I think so.

Q. Have you ever known the canners to kick about receiving small lobsters?—A. No.

Q. They pay for them?—A. They pay for them.

Q. How small have you seen them taken to the cannery?—A. I do not think I have seen them caught and sold to the cannery less than 7 inches. Of course I have seen them kept smaller than that for an ornament.

Q. Are you aware of any fisherman having lost his catch of lobsters by reason of the canner having refused to accept them?—A. No.

Q. There have been several propositions made to the department as to the regulations that should be enforced for the benefit of the fishery, some people say, 'Shut down altogether for four or five years,' what would you think of that?—A. I would not think much of it.

Q. Why, would it be pretty hard on the fishermen?—A. I think it would be coming very hard on the fishermen.

Q. I suppose at the season of the year when you carry on the lobster fishing there is not much other fishing going on?—A. Not much.

Q. As soon as you knock off lobster fishing do you go into other fishing?—A. Yes.

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Q. What fishing do you go at then, the cod?—A. Yes.

Q. Do you think an increase in the number of canneries would mean more destruction of fish?—A. No, I do not think it would mean any more here because I do not think there are many more that could get at it, everybody that can fish is already at it. Of course if there were more factories we might get more for what fish are caught.

Q. That is the idea some have, they say there would be more competition if there were more factories, but that there would not be any more fish caught.—A. No, there would not be any more caught here, because the ground is taken up.

Q. So you would not advocate closing down altogether?—A. No.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. I do not know what to say about that, but I do not think there would be much of it done here.

Q. In some places where the fishermen have complained that they were not getting a fair show the department has said, 'Group yourselves together, 15 of you, or more, and we will give you a license.' Do you think that offers the fisherman a fair chance to do better for himself if he thinks he can do it?—A. Yes.

Q. You think the system of what we call co-operative licenses is one that should be continued?—A. Yes.

Q. Then if a lot of fishermen are dissatisfied and think they can do better they have a chance to try?—A. Yes

Q. Do you think there is any, or much, illegal fishing done after the close of the season?—A. Nothing to speak of about here.

Q. Was there ever more done than there is now?—A. In years gone by there was.

Q. And did they used to can these fish?—A. No, they did not can them.

Q. What did they do with them?—A. They used to peddle a few around.

Q. Then there never was anything very serious?—A. No.

Q. Are the lobsters running much smaller now than when you first began to fish?—A. Yes, they run smaller.

Q. Do you think that the hoop net fishing in shoal water should be prohibited generally?—A. Yes, it should be. Of course there is none of it done here any more.

Q. The best of your fishing is done when? When do you make your best catch?—A. Along from the 20th of April to the 20th of May is generally the best.

Q. How are the live lobsters sent to market from here?—A. Well, there were none shipped just from here this last season, but they are taken away by the smacks to Halifax and shipped from there.

Q. How do they go to Halifax, by steamer?—A. Yes.

Q. What steamers call along here, and how often?—A. The steamer that runs to the factory generally takes the market lobsters.

Q. Has this factory a steamer of its own?—A. Yes, she runs down to Halifax with the live lobsters.

Q. Does she run once or twice a week, or how often?—A. About once a week.

Q. And they are held in cars until they are crated?—A. Yes, until they are crated.

Q. Have you ever done anything in the live lobster business yourself?—A. No, nothing.

Q. Is there anything else you would like to say, or is there anything that you have not gone into?—A. No, not that I know of.

Witness discharged.

JOHN MOSHER, smackman, Dublin Shore, called:—

About shutting down the factories I do not think that would be convenient to the people around here, because we have not the facilities for shipping lobsters

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alive to the market, they must be held here the best part of a week waiting for a smack to take them to Halifax, and then they have to wait there for the Boston steamer. We do not want to shut the canner off in Lunenburg county because it would close up the lobster business. We have not the same chance as the people farther west for shipping to the market. I think if there were no more people fishing than there were 25 or 30 years ago there would be as many lobsters taken, for where there were only 15 or 20 fishermen then there would be now perhaps a hundred. I started buying for the factory here two years ago and there were only two smackman on the grounds there and the best I could get then was 42,000, and this last year I got 57,000.

By the Commissioner:

Q. But they are much smaller now?—A. Oh yes, much smaller, I think that out of 56,000 or 57,000 there were not quite 10,000 large.

Q. How do the lobsters run to the case, or to the pound can?—A. I could not tell you, but I think it was about 325 to the case. Of course they only pack a small quantity, although they pack all they can get, but there are quite a few factories around Mahone and Chester bays and they pack 600 to 700 cases there.

Q. Is there any competition at all?—A. There was every other year except this season, but this year the factories here made an agreement, they claimed they lost so much money the year before when it started at \$3 and 10 and 12 cents for large, and advanced to \$5, and 16 cents for 10½ inch, so this year they made an agreement and started at one price and kept it, and there was not any departure from it.

Q. Have you any idea what it costs to pack a case of lobsters?—A. No, I have not, but I do not think the majority of fishermen would understand packing very well, that is the majority of them. In Newfoundland the thing does not work very well where the fishermen are packing their own catches. My idea is that it would be foolish as a general thing for them to attempt it because the packers understand the business after having worked at it for a number of years. These people around here think that if we had two months' fishing in the spring and closed off the winter season it would be to the general advantage. I get around among the men a good deal and that is the general opinion. It is generally the 25th of April before we get any lobsters, and I think it would be more satisfactory if we started in the month of April and had the December fishing shut off.

Witness discharged.

Commission adjourned.

WEST DUBLIN, September 9, 1909 (2 p.m.).

JAMES COVEY, fisherman, La Have Island, called and sworn:—

By the Commissioner:

Q. How long have you been fishing?—A. About twenty years, more or less.

Q. Always in this same neighbourhood?—A. Yes.

Q. You have never fished lobsters anywhere else?—A. Yes, I did, I fished at Labrador one season.

Q. When?—A. About 10 years ago, at Whale Head.

Q. What is the condition of the fishery to-day compared with what it was when you first began?—A. I do not think the number of fishermen was more than one-half what it is now when I started out lobstering.

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Q. When you started out first there were very few boats?—A. Very few boats at it.

Q. Is there more than double the number engaged now?—A. Yes, more than double the number.

Q. And do they fish more gear?—A. Yes, more gear, more men, and better fishermen, they know how to rig the gear better.

.. And they use a better trap, it holds the lobsters better?—A. Yes, it is safer.

Q. As to the size of the lobsters, how do you find that?—A. I do not know, we are supposed to take 9-inch lobsters, and I think that is plenty small enough.

Q. But I suppose in practice the canner takes everything you bring to him?—A. Yes, a fisherman will sell everything he gets.

Q. And the canner takes it, has that always been the case?—A. Well, for a few years it was not.

Q. When was that?—A. I should say it was 6 or 7 years ago, the law was pretty strictly enforced on the measure.

Q. How did it happen to be done just at that time?—A. Now, that is a question I can hardly answer. The fishery overseers were keeping too close watch on us then, I guess that was about the cause of it.

Q. To what do you attribute the decrease in the lobsters, what is the cause of it?—A. The scarcity?

Q. Yes?—A. I claim that the winter fishing has been a big hurt to it.

Q. In what way?—A. I will give you one reason, what little I know of it, and that is that in the spring of the year you will catch the lobster filled with spawn, or egg, whatever you may call it, and you will pitch that fish away and she will spawn. Now in the fall of the year when we start our fishing again that fish has spawned out and will trap then, she has no spawn on her and you take her and she is killed and canned and therefore spawns no more, whereas if it were not for the winter fishing that fish would not be taken. When it came to the spring again, if the same fish were caught she would be put back into the water, which would give her another chance to spawn. It is the killing off of the female lobster in the winter fishing that, I claim, is causing the scarcity of the fish. Two fishing seasons in one year are too much, the fishery cannot stand it, that is my opinion.

Q. Talking about that spawning lobster, has it always been put back in the water on this part of the coast?—A. I always put her back, I cannot speak for anybody else.

Q. The practice, as we know, in most places has been that the egg lobster has not been protected, she has been brought to the factory with eggs on her, or if the factory refused to receive lobsters with eggs on, the eggs have been brushed off outside, and it is safe to say that nine out of every ten fishermen have been doing that. The man that takes the spawn lobster and brushes the eggs off ought to be hung.—A. Yes, the man taking an egg lobster is just the same as taking a dumb animal and killing it just as it is going to have young. No doubt that is the great cause of the scarcity.

Q. If the law were strictly enforced to-day, how would it affect the fishermen, supposing we knocked off everything under the 9 inches?—A. I suppose it would be one part of the fishery.

Q. You mean by that one half?—A. About one half.

Q. Is that about your own idea of it?—A. That is my idea that on the average it would be nearly one-half.

Q. How would it affect the canner, would he be able to go on canning if the 9 inch limit were enforced?—A. He could can just the same.

Q. Could he get enough lobsters to pay him to can?—A. If he got them he would can them, if he only got a few he would have to do the best he could.

Q. It is a question whether he could keep the cannery running under those circumstances, you must have a certain amount of material to run on?—A. Oh yes, you must.

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Q. Your season begins on the 15th of December and ends on the 31st of May?—
A. Yes.

Q. Do you begin on the 15th of December?—A. Yes.

Q. How is the fishing in December?—A. For three or four days or a week it is all right, and after that there is not much to be done at it, and all that the majority of the people get is a sniff of the wide ocean and the loss of gear.

Q. Do you set out in the deep water then?—A. Most people do, but I do not, I only fish in the harbour.

Q. You do not lose your gear there?—A. No, I do not, but I am only one man.

Q. What depth of water do you fish in the harbour?—A. Six fathoms.

Q. And what number of traps?—A. Fifty or sixty.

Q. Do you fish alone?—A. I have a boy with me, my son.

Q. What is the value of a boat to fish lobsters in, one with another?—A. It is worth about \$25.

Q. Is that the general run do you think?—A. About that, that is what they cost when they are built.

Q. What is the trap worth with its line and gear?—A. It is worth 15 cents. That is for a man to make it, but he could not make it for any one else for that, if he is making it for himself he would value it about 50 cents, but at that price he could not make any money out of it if he made them to sell.

Q. When you have to buy it what do you pay for it?—A. We never buy, we always make our own.

Q. You all fish single lines?—A. Yes.

Q. What do you do with your gear when you get through fishing in December, do you leave it in the water all winter, or do you bring it to shore?—A. I haul my gear about the first week in January.

Q. You take it ashore then, and when do you put it out again?—A. The last of March or the first of April.

Q. Where do you put it out, on the same ground?—A. Yes, generally.

Q. You do not fish offshore then?—A. I fished last spring outside for the first time in 8 or 10 fathoms.

Q. What sort of a bottom do you choose for your fishing?—A. A rocky bottom.

Q. There is not much use fishing in a sandy or muddy bottom?—A. No, there are no places for fish to conceal themselves there.

Q. Is the bottom off here good for lobster fishing?—A. Yes, very good.

Q. To what do you attribute the decrease? You say it is largely, you think, due to the winter fishing, to fishing two seasons?—A. Yes, I think it is too hard on the lobster fishery.

Q. Do you think it is wise to take lobsters that are small and have not reached the age at which they reproduce themselves?—A. That I do not know.

Q. You hardly ever find lobsters under 8 inches with eggs on?—A. No, I do not know that I have ever seen one so small.

Q. We may fix 8 inches as the limit of reproduction, do you think it is wise that lobsters under that size should ever be destroyed or taken?—A. No, nothing under 8 inches. To my way of thinking anything under 8 inches should be hove away, that is a very small lobster.

Q. In practice what is the case, how small are they taken and packed?—A. You hardly ever get them much smaller than that.

Q. Not smaller than 8 inches?—A. Eight inches, or seven inches.

Q. That is a large lobster in some places?—A. Anything under 7 inches is only just the form of a lobster.

Q. Have you any idea how many 7-inch lobsters it takes to fill a pound can?—A. I have not.

Q. We have tested the matter and we found invariably that it takes nine 7-inch lobsters to fill a one-pound can?—A. Well, I did not think that.

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Q. How are the lobsters you take in the fall in that respect? Do you think they are as full of meat as those you take in the spring?—A. At times I think they are.

Q. Have you ever been much about a canning factory?—A. No, except in the season I was in Labrador, I was around the factory then.

Q. What kind of lobsters did you get down there?—A. Large.

Q. Did they make good meat?—A. Oh, yes, they made good meat but there was a certain school of lobsters down there, with a very light shell, and they did not have any meat at all, scarcely.

Q. You went down there fishing in June and July, did you?—A. Yes.

Q. How many cases did you pack there that year?—A. One hundred cases.

Q. They never went down again to try it, did they?—A. Yes, they did, the firm went back the next season but did not do anything at it.

Q. Do you think we could provide for the escape of small lobsters by insisting on a certain space between the slats in the trap?—A. That will be putting the laths a certain distance apart?

Q. Yes. There is a difference of opinion among fishermen, a good many say that if you keep the laths a fair distance apart a certain percentage of the small lobsters will escape, but other fishermen say that it will not make any difference.—A. Of course if the laths are a certain distance apart the small lobsters will be very apt to try to crawl out.

Q. You think they will crawl out when the trap is disturbed?—A. Oh, yes.

Q. Are the slats put farther apart than they used to be?—A. I cannot answer for others, but for myself I put them as I always did, the width of the lath apart.

Q. What would that be?—A. I never measured it, but I suppose it would be $1\frac{3}{4}$ or $1\frac{1}{2}$ inch, I never measured the lath at all.

Q. We do not see many traps now with $1\frac{1}{2}$ inch space that I am aware of. I suppose you own your own boat and gear?—A. Yes.

Q. We were talking here this morning about a proposition that has been made to the department by some people to ask that all lobster fishermen should take out a license, there would be no charge for it, but before a fisherman begins fishing for lobsters he should go to the local fishery overseer and get a form, which he would have to sign, setting out the law and the regulations, and binding himself to obey the law strictly. The idea is that having signed in that way every fisherman would regard himself more or less as a fishery officer, and would not only obey the law himself, but would see that others obeyed it. Do you think that would have any good effect?—A. I think it would make him much better.

Q. Do you think he would observe the law more carefully?—A. I think he would.

Q. Some people think he should be asked to swear to it; do you think that doing that would make him keep the law if he did not otherwise intend to do it?—A. It should do so if he is sworn, he should. If he did not it is no use his taking the oath in any case.

Q. What did you receive for your lobsters when you began fishing, how were you paid then?—A. When I started fishing first it was \$1 per hundred.

Q. Per hundred count?—A. Yes.

Q. And they were very much larger then?—A. A great deal larger than they get now.

Q. Have you any idea what 100 lobsters would weigh in those days just as they came out of the water?—A. I would not have any idea for I never weighed them.

Q. And what is the price paid to you now?—A. Oh, well, they have been \$4 and \$5 per hundred.

Q. They went up to \$5, that was the year before this?—A. Yes, this year they were not as much as that.

Q. They dropped about one-half, did they not?—A. Yes, they dropped quite a bit.

Q. What did you get this year per hundred?—A. \$2.50.

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Q. And how much for market lobsters?—A. Ten cents a piece.

Q. Taking them by count they count everything, small as well as big?—A. Yes.

Q. What proportion of the lobsters you get here are market lobsters?—A. This season they ran very small, there were not many, about, on an average, 15 or 20, something like that.

Q. That will be over 10½ inches?—A. Yes.

Q. Then your principal sale of lobsters is to the cannery?—A. Yes.

Q. If the canneries were closed, if licenses were not given to can at all and if canning were stopped, how would it affect your fishery?—A. I think it would be pretty hard for the fishermen here if the canneries were stopped.

Q. There are some people who think no canning should be done between Yarmouth and Halifax?—A. That might suit some places, but I do not think it would suit this place at all.

Q. There is no doubt about that?—A. I do not see how it would suit this place at all.

Q. The fishermen would lose the market for the principal part of their catch?—A. They could not do anything.

Q. Is there a very large proportion of the population here engaged in lobster fishing?—A. The majority on the islands, I am almost safe in saying that all on the islands fish lobsters.

Q. And some on the mainland?—A. Some on the mainland.

Q. Within your knowledge has it ever been the practice to brush the berries off along this shore; have you ever heard of its being done?—A. I did it once myself about, I would say, 10 or 15 years ago, or something like that, but I looked into the matter and I thought it was an unjust thing to do, and I emptied them from the trap into the ocean from that out.

Q. A great many fishermen justify themselves in doing that in this way: they say, 'If I throw that lobster overboard I am losing so much of my catch, and the other fellow will catch her and brush the berries off and get the benefit of selling her'?—A. I did not look at it that way, I looked at it this way: that I was committing the biggest sin I possibly could, that if a man was bad enough to do it he would commit almost any measly sin.

Q. Do you think there is a better idea among the fishermen to-day of protecting that lobster than there used to be?—A. I think to-day there are very few of them in this place that would destroy the seed lobster.

Q. So that it is not altogether to the destruction of the berried lobster you attribute the decrease in the fishery?—A. No.

Q. Do you think that you will get more spawn lobsters in the shoal water than you will in deep water?—A. I think you will, that is in the last part of the season.

Q. How about the small lobsters, do you think you get more of them in shoal water, too?—A. I think you will get more in the shoal water than in deep water.

Q. Among the many suggestions that have been made to the department for the preservation and improvement of the fishery, is one that we should stop fishing altogether for four or five years, what do you think about that?—A. I think it would be rather hard on the fishermen.

Q. Is there anything else that the fishermen could do at that time, is there any other fishery they could carry on at that time?—A. Some people could, I suppose, and some could not, he would have to take a nap until he could take the line, until the fish comes on shore in the summer.

Q. What is the first fishery you go at after you knock off the lobster fishery?—A. Cod fishing.

Q. You have no mackerel fishing in the spring?—A. We put nets out, there are all kinds of fishing after the lobster fishing is over.

Q. Do you do any other fishing while fishing lobsters?—A. No.

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Q. How often do you fish your traps?—A. Once a day.

Q. Who fixes the price that is paid for lobsters?—A. The boss at the factory, he puts the price on.

Q. When you begin fishing in the spring do you know what price you are going to get?—A. The man who buys them up in the factory, he gives you the price.

Q. That is the smackman?—A. Yes, he gives it to us about the time he is going to start buying.

Q. Is there more than one smack on the fishing ground buying for different people?—A. There are about four or five in this harbour.

Q. They are smacking lobsters for the different factories?—A. Yes.

Q. Is there any competition in the price, will one smack offer more than the other?—A. They did in years before this, but this season they were all one figure.

Q. One would not give more than another?—A. That is it, one would not give more than another.

Q. That is what makes you think there was an arrangement come to?—A. Yes.

Q. Did you ever ship lobsters to market yourself?—A. No.

Q. You never did?—A. Well, once I shipped part of a crate, I made up a crate with another fellow, that is all I ever did.

Q. How did it turn out?—A. I did not see that I gained anything by it.

Q. Do you think that an increase in the number of canneries, if more were licensed, for instance, there is only one cannery in this neighbourhood, but supposing there were two or three, would it lead to competition and would the fishermen be liable to get more for their lobsters?—A. It is quite right that there is only one factory here, but outsiders come in here from the eastward and the westward and buy, that makes opposition.

Q. Do you think an increase in the number of canneries would mean an increase in the quantity of fish taken?—A. I do not know, but I really do not think it would make much difference.

Q. Is everybody that is likely to fish already engaged in fishing?—A. I think every man that is engaged in one fishery here fishes in another.

Q. Are there any more left to engage in it?—A. No, not many.

Q. What makes me ask you that question is this: the department has refused licenses to new applicants with the idea that by doing so they are keeping down the fishing?—A. Yes.

Q. But no limit has ever been put upon the amount of gear fished?—A. No.

Q. And many fishermen have expressed the opinion that if there were more licenses to pack granted it would not make much difference in the amount of fishing done, that it would not mean the capturing of more fish?—A. I do not see that it would hurt the fishery at all. I do not think that it would encourage any more men to fish than are in the business now.

Q. Do you think there would be more competition by more canneries operating, and would not a slight rise in the price of fish induce more people to go into it?—A. It might; but I do not think there are many more people in this place that would go into that kind of fishery.

Q. It has occurred in some places that the fishermen have lost their catch of lobsters by the packer refusing to receive them, having closed up the cannery. Has that ever happened here at all?—A. Not to my knowledge.

Q. Do you think that the fishermen generally would make more money if they were allowed to can for themselves?—A. What, every man can his own fish?

Q. Yes?—A. I do not see how a man could very well do that, even if he had a chance to do it.

Q. Do you know anything at all about hatcheries or pounds as a means of preserving the lobsters?—A. No, I do not; I never saw one.

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Q. Would you favour any change in the size limit in this district—it is now 9 inches?—A. I always kind of thought that a 9-inch lobster was pretty large to chuck away, and I rather thought that an 8-inch lobster was large, but to throw away everything below that would be about as good a regulation as we would want in size.

Q. Inside the gulf they fish a very much shorter season than you do here. They do not begin in some places until the middle of May, and they end in June or July. There they have an 8-inch limit—it used to be 9 and it was reduced to 8—and they tell us now that it ought to be reduced to 7; that if we would only make it 7 they would be all right?—A. I think every man would be satisfied in this place if we got that size, and I rather think he would feel satisfied in chucking the rest away, I think they would. I know I would, but I am only one.

Q. What is the best portion of the season for lobster fishing here, when do you do best?—A. In the spring of the year; the spring season is the best.

Q. That is in April and May?—A. April and May.

Q. When does your harbour ice go out here?—A. In the bay here it does not go out until—well, it is according to the spring—sometimes the middle of March and sometimes the last of March.

Q. It is generally all gone in April?—A. Oh, yes.

Q. Then, as I understand you, your main suggestion is that you would prefer to see the winter fishing done away with?—A. By all means.

Q. And fish in April and May?—A. April and May; and I do not think, if we have those two months in the year to fish, that it will ever be a failure, because that would give the fish a chance to increase.

Q. What would you say about leaving a fair space between the slats in the trap?—A. Well, I really think that building the traps as we always did, and leaving the slats nearly the width of a lath apart—the average lath is about $1\frac{1}{2}$ inches—and this (exhibiting lath) is about the ordinary lath that we use here, that space is wide enough.

Q. Will an 8-inch lobster go out through that?—A. I do not know whether he would or not, probably he would.

Q. They squeeze through a pretty small hole?—A. They probably would when they mean to go.

Q. Would a 9-inch lobster go through it?—A. I do not think a 9-inch lobster could crawl through that space. A 9-inch lobster will not crawl through that.

Q. Is there any considerable amount of fishing done after the close of the season?—A. I never do any.

Q. And there is no packing going on then?—A. I do not see it.

Witness discharged.

OBADIAH HIMMELMAN, fisherman, La Have Island.—All I have to say is that I am satisfied to have the winter fishing stopped.

By the Commissioner:

Q. You have heard the evidence given by the gentlemen who preceded you; do you agree with most of it?—A. Yes.

Q. Do you agree with all of it?—A. Yes. The winter fishing is hard on a body, and a person loses more than he gains by it.

Witness discharged.

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CHARLES HIRTLE re-called:—

By Mr. Whitford:

Q. It has been said here that the regulations have not been enforced, and that illegal fishing is allowed. You might tell us if that is an actual fact?—A. I do not think that it has always been enforced, as far as I know about it.

Q. What has been done in that line of enforcement recently?—A. Well, I do not know of anything.

Q. Were there not violations reported this present summer?—A. Yes, they were reported.

Q. And acted on?—A. Yes.

Q. And the fines paid?—A. Yes.

Q. And others are under consideration?—A. Yes.

By the Commissioner:

Q. That is for fishing out of season?—A. Yes, that has always been enforced when we have found it.

Witness discharged.

SAMUEL SMITH, Senior, fishery guardian, Broad Cove called and sworn:—

All the difference that our people up there at Broad Cove would want from those men on La Have Island is if they could get a little time earlier in the fall than what they have, but they want the winter fishing done away with, and April and May fishing.

By the Commissioner:

Q. They want April and May and a month and a half in the fall?—A. Yes.

Q. From when to about when?—A. From the middle of October to the last of November, or November and up to the middle of December, that would be all the difference.

Q. What do you think about the matter, have you ever fished lobsters?—A. I have fished some, but not of late years.

Q. What do you think of this matter of regulating the width between the slats? Should the traps be made with a specified space between them?—A. Yes, I think the smaller lobsters would have a better chance to get out.

Q. But will they get out?—A. That is a question you will have some difficulty in settling, some may and some will not.

Q. Do you think a fair proportion will escape?—A. I think so.

Q. No matter what regulation you make about the size limit some will pass in handling a large quantity of fish, we understand that?—A. Yes

Q. How does the 9-inch limit work here, what would the result be if it were strictly enforced?—A. It works very well up our way, and we try to keep it enforced. If they get anything outside of that they have to smuggle them through sharp.

Q. Where do they sell their lobsters?—A. They sell them to the Liverpool canneries.

Q. The smacks come here and buy them?—A. Yes.

Q. And do you think those smacks take nothing under 9 inches?—A. Not that I know of.

Q. The canners tell us that if they were cut off at 9 inches they would have to shut up their establishments, that one-half of their pack is under 9 inches, where do they get them?—A. I do not know, Mr. Bain is at Liverpool and they are pretty sharp up there, they would have to smuggle them if they got them in.

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Q. During the month and a half in the fall would they catch many fish?—A. I think so.

Q. Would that not be burning the candle at both ends? There is already a great deal of complaint that the fishery is failing and if you make good fishing in the spring, and good fishing in the fall, would not that be killing off the fish still quicker than they have been? It appears to me that you would soon be reaching the end?—A. I think the candle would not be as long as it is now. In the winter there are more lobsters perish, they take the small lobsters in the trap, and before they are back in the water again they would be chilled and it would kill them.

Witness discharged.

Commission adjourned.

PORT MOUTON, Sept. 10, 1909.

STEPHEN HOMANS, canner, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing or connected with it?—A. I have been connected with it about 24 years.

Q. You, at present, are running your cannery here?—A. I am manager for M. Neville.

Q. How long did you can in the Island of Anticosti?—A. I fished at Anticosti for four seasons.

Q. What other canneries are there in this immediate neighbourhood besides the one you represent?—A. Stewart and Co., and John Leslie.

Q. What is the total output here, can you give me any idea of the total number of cases packed in the three factories?—A. I can give you something in the neighborhood.

Q. We do not want it absolutely you know.—A. Well, put it at 2,000 cases.

Q. What number of boats fishing will that represent?—A. That is hard to get at.

Q. Well, give it in a general way, you know the number of boats supplying you.—A. We go over an immense scope of territory, we smack from a long way; I suppose it would be 500 boats with the whole of the three canneries.

Q. What number would you say in your own case, one-third of that?—A. Yes, I would say 350.

Q. The pack at your cannery here represents the catch of about 400 boats?—A. Yes.

Q. And among all the canners between 500 and 600 boats are engaged, would that be right?—A. Yes.

Q. The lobsters I suppose are all smacked to the cannery?—A. All smacked.

Q. For a distance of how many miles on each side?—A. We go about 30 or 35 miles west and 20 miles east.

Q. The fishermen here are all the owners of their own boats and gear, are they?—A. Nearly all.

Q. It is not supplied by the cannery?—A. No, we do not supply any gear.

Q. When does the fishery begin with you?—A. The 15th of December.

Q. And ends the last day of May?—A. The last day of May.

Q. What is the most important time of the fishery?—A. I consider that the most important time is from the 15th of December until the 10th of January.

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Q. That is your best fishery?—A. That is about the best fishery, and then from the 10th of April or the 15th of April to the 15th of May; I think the catches during those two periods are about equal.

Q. And from the middle of January to the middle of April is there very little done?—A. Very little.

Q. Is the gear lying in the water?—A. Oh, yes, a certain number of the fishermen fish all winter, and a certain number will make very good money because they ship all their lobsters.

Q. The canneries close between what dates? You do not run the cannery all the time?—A. We have it open but we do not pack every day, we have to take care of our frozen fish and fresh fish.

Q. What is the proportion of the total catch of these boats that is sent to the market alive, and what proportion is canned?—A. Well, I will look that up from the books, I will give the average for three years, here are the figures, and there would just be shipped about one-fifth of all the lobsters we take.

Q. Will you give us the exact figures for three years?—A. This would be a poor estimate, because we kept covering more ground each year. We had in the neighbourhood of 1,000,000 lobsters during three years, I have 1,380,000 in my books.

Q. In 1907, what would the figures be?—A. In 1907 we had about 340,000 small lobsters.

Q. That were canned?—A. Yes, and about 55,000 large.

Q. That were exported alive?—A. Yes.

Q. Now, in 1908?—A. There were 500,000 small lobsters canned and about 100,000 large.

Q. The large were shipped alive to the market?—A. Yes. In 1909 we had 70,000 large and about 550,000 small.

Q. That is by count or by weight?—A. By count. Now that looks like a decrease in the size of the lobsters, but you see it is on account of our not buying all the large lobsters. You understand that a lot of the fishermen—some seasons we buy all their large lobsters, and other seasons we do not handle so many—ship them themselves; any one looking at these figures would think that the lobsters are decreasing in size, but that is the explanation.

Q. It would appear that way because there is not such a large proportion of large lobsters?—A. Yes, but that is because the fishermen shipped them themselves and I did not buy them from them.

Q. And that makes a total for the three years of?—A. In the neighbourhood of 1,380,000 small and 220,000 large.

Q. That is about one-fifth, as you say?—A. Yes, but still you must take into consideration that we do not buy nearly all the large lobsters, there is a large quantity shipped besides what we ship.

Q. But you buy of course all the small ones?—A. I buy all the small ones.

Q. What is the condition of the fishery now compared with what it was when you first had to do with it in this neighbourhood?—A. That is a question that would frighten you if I were to tell you, because I saw the books and I am handling five times as many lobsters as my predecessors did the season before I came here.

Q. Have you a great many more boats fishing for you and much more gear employed?—A. Yes.

Q. Is it the tendency to increase the amount of gear?—A. It has been the last three years.

Q. The gear has been increased?—A. Yes.

Q. Is that because all the fishermen are fishing more gear or that more people are going into it?—A. There are more people going into lobstering and every one is increasing his gear.

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Q. But apart from that, what is your opinion of the lobster industry, is it failing, are the fish averaging smaller?—A. I cannot say that they are, I cannot see very much difference in the fishery; we have some blustery seasons, but taking all into consideration, I cannot see any difference.

Q. Is there any difference in the run of the fish?—A. Last season the fish ran large; this season they ran smaller, but take it for the three years, I see very little difference in the size of the fish.

Q. What proportion of the fish that are canned, or that are caught by the fishermen, will be below the legal limit of 9 inches?—A. That is a pretty difficult question to get at, if I had time I could get it down pretty fine.

Q. A good many of those who gave evidence last year in Ottawa, and many who have been before us have stated that if this 9-inch limit were strictly enforced it would put both the fishermen and the canner out of business?—A. Well, there is no doubt about it in some sections; right here in Port Mouton Bay this season actually it would have put the fishermen out of business, that is right in the bay, while in some other places it would not affect them any, that is just how it is. That is a pretty difficult question to answer.

Q. But there is a large proportion of lobsters taken under the legal limit?—A. Quite a large portion, yes.

Q. Is the packer expected to take them from the fishermen?—A. Well, it has been the practice, although for two years we have not taken any.

Q. For two years you have not?—A. I have been here four years, but for two years out of that time we never took any, but it is slackening off a little the last two years.

Q. You live up to the law?—A. Yes.

Q. With regard to the 9-inch limit?—A. Yes.

Q. Then, actually, what became of the small ones?—A. I think they were put in the water. We haven't actually here in Port Mouton—I think the law has been rigidly enforced here, it got a little off last year, but not wholesale.

Q. As to the egg lobster, what has been the practice with regard to her?—A. They liberate all of them.

Q. The practice of washing them by the fishermen has not been followed here?—A. It is not very noticeable, not to any extent. I guess there may be a few scattered ones, but very, very few.

Q. The policy of the department in recent years has been to restrict the number of canneries, do you think it would make any difference in the fishery if more canning licenses were issued?—A. I do not think it would make any difference in the fishery; the only difference it would make would be to put an inferior quality of lobsters on the market.

Q. That is if the number of canneries were increased indiscriminately?—A. Yes. You know it is almost impossible for a fisherman to pack his own lobsters, because he has not the time to do it and take care of them.

Q. Would an increase in the number of canneries mean an increase in the amount of fishing done?—A. Not by any means.

Q. Of course, there have been, as you know, a great many complaints made by fishermen that there has been a combine on the part of the canners to keep prices down. Bitter complaints have been made to the department for years back about that, and those complaints have led the department to issue during the last few years what they call co-operative licenses; that is, if a group of fishermen were dissatisfied with what they were receiving from the canner, or whoever they sell their lobsters to, they were given a license to can for themselves. Do you think that is a fair or reasonable way of satisfying the demands of the fishermen?—A. Well, it should be.

Q. Do you think the fishermen would make more money if they were allowed to pack for themselves?—A. No, I do not think they would make as much.

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Q. What do you consider to be the spawning months of the lobster in this neighbourhood?—A. I think June and July.

Q. Do you think they approach the shore for the purpose of spawning?—A. I think so.

Q. Would you say that lobster fishing should be maintained further off shore?—A. Yes.

Q. In order that these schools of immature lobsters which come inshore should be better protected?—A. I do not think.

Q. Do you think this fishing in harbours and lagoons which is carried on at the latter end of the season is more injurious than the other?—A. Our season opens here on the 15th of December and closes on the 31st of May, and that protects the fish, which are not in there then.

Q. Do you not think, from your experience as a lobster fisherman, that a great deal of destruction to the fishery takes place by the fishing late in the season in the warm shoal water into which the fish come to spawn?—A. Certainly these fish come into the shoal water in the warm weather for breeding; that is my idea of it.

Q. What is the smallest lobster you have ever seen bearing eggs?—A. I cannot call to memory that I ever saw a lobster under $9\frac{1}{2}$ inches bearing eggs.

Q. We saw one this summer measuring $7\frac{1}{2}$ inches only?—A. That was on Prince Edward Island, was it?

Q. Yes?—A. I have seen them there, too, at that size, but not on this coast.

Q. They say there is not one in 100,000 under 8 inches?—A. I saw one that I thought was very small last year, and it was $9\frac{1}{2}$ inches when I measured it.

Q. What number of lobsters does it take in your pack to fill a pound can?—A. It will take about five.

Q. About five lobsters?—A. Yes.

Q. How many would that be to the hundred pounds, how many lobsters make 100 pounds?—A. That varies at different places.

Q. It varies with the season, too, does it not?—A. It varies with the season, and, of course, with the size of the fish. Here it is very difficult to get at it, because we separate them, and I have never packed fish by the pound.

Q. How are the lobsters you catch in December compared with those you get in the spring with regard to meat?—A. They are a little slacker in the meat than they would be in the middle of April.

Q. Some people have stated that it takes 30 per cent more to fill a pound tin?—A. In December?

Q. In the fall; they say it takes that much more than it does in the spring?—A. I should not like to say that much.

Q. Well, that is perhaps earlier in the season?—A. I will not say but what it will take 30 per cent more to the packer, because he has a lot more frozen fish which are no good.

Q. Was the practice of stripping off the eggs ever followed by the fishermen in the early days?—A. That is a question I cannot answer. I have only been here four years.

Q. Which of the two branches of the fishery, the export trade or the canning, is the most profitable?—A. Just around here?

Q. Yes?—A. Oh the canning, without a doubt; they get more out of what lobsters they sell to the canner than out of what they ship.

Q. Has there been any noticeable decline in the average size of the lobsters caught in your district within the last ten years?—A. Well, I cannot say that there is.

Q. Or within the last 30 years?—A. Oh well, I have not been here. There is undoubtedly in 30 years, but there is an increase in the lobsters here in the last ten years.

Q. They have improved?—A. They have improved, I have statistics of the pack that I go by so I know, but if you go back 30 years of course there is a decline.

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Q. To what do you attribute that decrease, is it due to over-fishing?—A. Well, we had not protection up to about 10 or 15 years ago.

Q. There were no regulations in the early days?—A. No, there were no regulations in the early days.

Q. Has any attempt been made here to enforce the regulations?—A. Oh yes.

Q. Attempts have been made?—A. Oh yes.

Q. Is it within your knowledge that people have been fined?—A. Oh yes.

Q. Do you think that different size limits and different seasons in adjoining sections of the coast are unsatisfactory and apt to encourage violations of the law?—A. That is a question now that it is difficult to answer.

Q. It seems to be difficult you know, where the line is drawn, to enforce the regulations on both sides of it, there are always so many ways of escaping it?—A. Yes.

Q. The best way, where it can be done, is to have uniform regulations so far as possible?—A. That is quite impossible.

Q. What trap is in use here at the present time?—A. What they call parlour trap.

Q. Is that smaller trap, the diamond trap, used largely?—A. No, they use nothing here but the parlour.

Q. When did it supersede that oldfashioned double ender trap?—A. About 8 years ago, I think.

Q. What is the particular advantage of that trap over the old-fashioned one?—A. The lobsters go into it as readily, but there are not so many go out.

Q. Has there been any tendency within your recollection to narrow the space between the slats?—A. No.

Q. What space is generally allowed?—A. I should say about $1\frac{1}{2}$ inch, between 1 inch and $1\frac{1}{2}$.

Q. Do you think that narrowing that space down has anything to do with the capture of a smaller run of lobsters?—A. I do not think so.

Q. Do you think it would be possible to regulate the capture of small lobsters by insisting on a certain space between the slats?—A. I do not think.

Q. You do not think it would affect the result?—A. I do not think.

Q. Some fishermen tell us it would.—A. Of course you would not probably get as many small lobsters, but you would get some all the same.

Q. We cannot avoid that, but what I want to know is in the first place with reference to the capture of the small lobsters, they have narrowed it down in some places until it is not more than half inch, now why have they done that?—A. I was just speaking about that here.

Q. Do you think it would be wise that the department should insist on a standard width, would it protect any proportion of the small lobsters? Some fishermen say that the lobster never tries to escape from the trap when you disturb it and others say that if you allow space enough for him to get out he will always try to get out when you haul the trap. You see the proposition has been made to do away with the size limit. In some places unquestionably canning is and must be the principal industry because there is no chance of shipping anything alive to the markets, especially in the remoter districts, and it would seem almost that the best thing we can do under those circumstances is to do away with the size limit, shorten the season and regulate the escape of small lobsters by fixing a standard space between the slats?—A. I think that would be a little protection, no doubt it would be.

Q. You think there is a tendency on the part of the lobster to scuffle out of the trap if he gets a chance?—A. Certainly there is, undoubtedly.

Q. What size lobster would go through an inch and a half opening; there hasn't been a single place where we have seen an inch and a half space.—A. I am speaking from memory as to the space, I have not noticed it in recent years.

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Q. Most of them say they use the head of the hammer?—A. Well, that is what I use.

Q. That will be only about an inch?—A. Yes, about that, but even here they make them wider apart than I have been used to seeing them at Anticosti.

Q. How is the season here, is it what it ought to be?—A. As far as I can see I think the season seems to be just about right. The only suggestion I would make, but then this is only just my own opinion, would be to have it from the first of December till the 15th of May.

Q. What would be the advantage of that?—A. Well, there is generally good fishing and the best weather about the first of December, and the last 15 days the lobsters begin to slacken off a little, that is in some seasons, but that is just my own idea.

Q. You have here a standard size limit of 9 inches?—A. Yes.

Q. Do you think that limit ought to be strictly enforced?—A. No, I do not think so for a moment.

Q. What would you do with the limit, would you say do away with the size limit?—A. I would do away with the size limit.

Q. And what would you do to make up for that?—A. Strictly enforce the close season and protect the berried lobsters. While I hold to the opinion that we know that the lobster does not spawn here until she is over 9 inches; it is no protection to them if you catch them at 8 inches, you are simply destroying the lobster before maturity, and you are also doing that at 9 inches.

Q. Would you fix the size limit at 8 inches or 7, or what would you do?—A. No, I would let every packer fix his own limit, if he doesn't choose to take these lobsters all right. There should be a compulsory law for the fishermen and packers to buy by weight, it would be better for both. We have lots of fishermen that will not save these small lobsters, they will simply throw them away. They will not take one under 7 inches, but will throw it away.

Q. In the greater part of the coast now they buy by weight?—A. Oh, on the west they never have. In Lunenburg, Queens and Shelburne, except in the centre of that county they buy by weight.

Q. How is it you retain the old fashioned way of buying by count instead of by weight?—A. We have considerable opposition here, and at Lockeport the other people buy by count and we have to do the same.

Q. Is it the case that canners are compelled to take small lobsters or else lose their fishermen who would sell their whole catch to other canners not so scrupulous?—A. There is no doubt about that.

Q. It has been suggested that for the better control of the lobster fishery the fishermen should be required to register and take out a license. That has been suggested to the department from more than one source; there might not be any fee charged, but the license would be a printed form on which the regulations would be set out, and the fishermen would be asked to sign them and to bind themselves to observe them strictly. The idea is that having done so, the fisherman would be more likely to obey the law himself and to see that his neighbours did the same. Do you think there is any thing in that suggestion?—A. There is no harm in it, and I think it would be no more than right. The factories have to be licensed and why not the fishermen.

Q. You say the regulations regarding the protection of the berried lobster have been observed in this district?—A. Yes.

Q. What would be the effect of a strict enforcement of the present regulations with regard to the 9-inch limit?—A. Well, I will just speak for the district of Port Mouton; the effect would be felt the keenest by the fishermen, undoubtedly.

Q. How would it affect the canner? Would it put the canner out of business?—A. Well, it would to a certain extent curtail the pack, but it really would not affect the packer here as much as it would in other parts of the county.

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Q. Though it might affect the pack here seriously for a year or two do you not think that ultimately it would have the effect of improving the lobster fishery?—A. Not a bit.

Q. Do you not think it would?—A. Not a bit.

Q. Do you not think it would give the lobsters time to reach maturity?—A. We would get them before they reached maturity.

Q. How would that be if the regulation were enforced?—A. We would have a year in which to get them over 9 inches, there is a very small percentage of lobsters here with berries on until they are over 10 inches.

Q. I am not speaking about the berried lobster, but the small lobster. You see the young lobster grows 2 inches a year, 3 inches the first year, so that you can tell the age by the size. Various suggestions have been made to the department for remedying the existing condition of affairs. Some people say, 'Close down altogether for a term of years.'—A. What is their idea in closing down?

Q. To let the lobsters increase and grow.—A. Actually we have over production now.

Q. That is to say you are over producing, canning too much?—A. Well, we are canning plenty for the market.

Q. More than there is any demand for?—A. All that there is any demand for.

Q. The Lobster Commission of 1898 recommended the closing down by sections, shutting off certain sections of the coast and moving around gradually until the whole coast had been given a close season?—A. That will be difficult, almost impossible to carry out.

Q. Has the number of canneries reached the maximum compatible with the preservation of the lobster industry, and should the issue of further licenses be discouraged?—A. I would very much prefer not to answer that question.

Q. Others in your position have answered it.—A. I say there are plenty of factories.

Q. Is there any good reason why if a man shows his ability and capacity to pack, one man has not as good a right to a license as another?—A. Certainly, undoubtedly he has.

Q. Do you think a reduction in the length of the open season would be an advantage, and that it would tend eventually to increase the supply and perpetuate the fishery?—A. I do not think it would.

Q. Do you think it would be possible to establish a standard of fitness in canneries?—A. In the cannery?

Q. To insist that the cannery be up to a certain standard in its outfit?—A. Oh, certainly, yes.

Q. There are a great many canneries that are poorly equipped and poorly kept. How would you go about that, what should be insisted on mainly in the cannery?—A. Cleanliness.

Q. And that the tables should be covered?—A. That the tables should be covered and kept clean, and means of keeping it clean provided, a continual flow of clean water.

Q. Do you think that the product of the canneries, that is the canned article, should be subject to inspection?—A. Yes.

Q. That is official inspection?—A. Yes.

Q. The tendency to-day is to inspect all food products?—A. Yes.

Q. And have them vouched for?—A. Yes.

Q. Are there any co-operative canneries in this neighbourhood?—A. No.

Q. What is the price paid for lobsters in this neighbourhood?—A. I pay so much a piece, three cents each.

Q. That is \$3 per hundred?—A. Yes, for small lobsters and 5½ cents the season before. Take it for the last three years the average price has been 4½ cents.

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Q. That is 4½ cents for the small lobsters, and for the market lobsters?—A. Well, they vary every week. We paid from 10 cents to 40 cents a piece.

Q. Forty cents a piece?—A. Yes, and 10 cents is the lowest.

Q. The price varies with the condition of the markets?—A. Yes.

Q. How do you ship your live lobsters?—A. We use the Halifax and South-western Railway and transport a certain quantity to Halifax on our own boats.

Q. How often?—A. Weekly.

Q. The lobsters as they are brought in are held in cars, are they?—A. In crates.

Q. Until you are ready to export them?—A. Until we are ready to export them.

Q. Are you aware of any complaints made by fishermen that the price paid by canners for the lobsters is not satisfactory?—A. Yes, that is always the case. But still we have a certain number of fishermen here in Port Mouton that we have very little kick from about the price of lobsters.

Q. Is it your opinion that there is any combine on the part of packers generally to keep prices down?—A. None that I know of.

Q. Is there some competition?—A. I should say so.

Q. How are the lobsters paid for generally, by the smackman?—A. By the smackman.

Q. And do the rival smackmen compete for lobsters?—A. No, ours do not.

Q. Yours have a fixed price?—A. Mine have a fixed price.

Q. Your smackman has a certain limit fixed beyond which he must not go?—A. He has his price which I fix, and as the fisherman puts his lobsters aboard with the one hand he takes his money with the other hand.

Q. What are the average annual earnings of a good lobster fisherman?—A. Well, that is difficult to say. In the last three years, we will go over the last three years—there are so many bad ones—but I think we can put it for a good fisherman at \$350 at least, and some of them go as high as \$1,000, but any average lobster fisherman could realize \$350 per season.

Q. Who are the men who carry on lobster fishing, are they fishermen who carry on the other fisheries?—A. Yes, they are ordinary salt water fishermen carrying on the cod, mackerel and herring fisheries as each comes in season.

Q. What does it cost to pack a case of lobsters? What is a case of lobsters worth, the canning and everything, the meat, the tin, the labour to put it up, and everything else; what would a case of lobsters be worth?—A. At four and a half cents a piece it costs in the neighbourhood of \$14.

Q. Have you any objection to giving us the selling market price for lobsters during the last two or three years? Of course we are getting it prepared for us by the Roberts, Simpson Company of Halifax. My object in getting that information is to show what reason the fishermen had for complaining about the drop in price this year and whether the decline in market value warranted it.—A. Yes, it did.

Q. It has been said that the year before everybody went crazy on price?—A. Well, they went high enough this year.

Q. That is what we want to know, because the representatives of the Union state that they have been in communication with the markets abroad, and that the low price this year was not warranted.—A. They can give it to you from their records this year, I could not give it to you. I gave you that \$14 as the average of what they cost us for the last three years.

Q. Do you think that the shipment of live lobsters should be favoured in preference to the canning industry?—A. No—well, it should be favoured to a certain extent; I will give you an explanation of that, last year medium lobsters from 9 to 10 inches brought—at times they did not net 4 cents—whereas the canners would be perfectly willing to give 4 or 5 cents for them and can them.

Q. That change in the law in Massachusetts by which they admitted the 9 instead of the 10½ inch lobster must have acted disastrously on the Boston market did it

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not?—A. Yes, actually it has been a hurt to the majority of the fishermen in Shelburne.

Witness discharged.

Commission adjourned.

LITTLE HARBOUR, September 11, 1909.

EVERATT HARDING, President Fishermen's Union No. 2, Swansburg, called and sworn:—

By the Commissioner:

Q. You are both a canner and a fisherman, I suppose?—A. That is what I am.

Q. How far back does your experience in connection with lobster fishing go?—

A. I began as a boy about 23 years ago.

Q. In a few words, what is the condition of the fishery to-day compared with what it was when you began?—A. When I began in the lobster fishery you could get out of 100 traps, without any trouble, from 300 to 500 large lobsters; that was the usual thing, and out of that amount we would probably have from 50 to 75 that would be between 9 and 10½ inches. Now, this last season I fished 100 traps, and the most large ones I caught at any haul was 45, that was only once, but the average would be from 20 to 25.

Q. That is what you call market lobsters?—A. Market lobsters, over 10½ inches. And in getting that many large ones now we would get from 100 to 150 between 9 and 10½ inches; so you see that the lobster is diminishing in size as well as in numbers.

Q. To what do you attribute that decrease? Of course, there is a great deal more fishing done than there was when you began?—A. At that time there were only probably three or four boats fishing from here—Mr. Swim was one of them—and this season there would be 11 engaged in the lobster fishing. That has something to do with it certainly; but I attribute it to the amount of lobsters that have been caught, the lobsters are caught up, and we have here in this station, since the Fishermen's Union has been organized, been strictly adhering to the 9-inch limit until this present year, when we saw it was no use continuing to throw away the lobsters below that size, because others were taking them everywhere, and we had to do the same thing or get out of business.

Q. Previous to the organization of the union were the regulations enforced strictly, was there any attempt made to enforce them?—A. Yes, there was in some places.

Q. But was it generally done?—A. No, it was not.

Q. That is to say, some officers were more strict than others?—A. And some would be more strict in one place than in another; with certain people they would be stricter than with others.

Q. What is the official number of your union here?—A. Station No. 2.

Q. Now, as to the practice of the fishermen, in what depth of water do you fish generally? You begin to fish when?—A. On the 15th of December, and we fish until about the 15th of January.

Q. And in what depth of water do you generally fish at the opening of the season?—A. From 8 to 15 fathoms.

Q. And a boat will average how many traps?—A. From 60 to 70 traps at that season.

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Q. And those are fished on single lines?—A. Yes.

Q. Do you use fresh herring bait at that season?—A. Corned herring; we use that fall and spring.

Q. Is it your experience that corned herring is a better bait than fresh, or is it that you cannot get fresh bait?—A. My experience is that it is better than fresh. I remember some years ago I was fishing off the cape here in the lobster season and my father was fishing outside; he used to bring in the cod, and he told me he would have to let it remain two or three days to get rancid before it would be good bait.

Q. I understood you fished from the 15th of December to the 15th of January?—A. Yes.

Q. How is the fishing during that time?—A. Fairly good for about two weeks.

Q. Then does it slack off?—A. Then it slacks off, and by the 15th January you could not get enough to pay you for fishing, providing the weather would let you.

Q. What do you do then?—A. We bring our gear ashore; that is the general practice.

Q. When do you put it out again?—A. Some begin on the 20th of March, but the general practice is about the 1st of April.

Q. Do you go out on the same ground, in the same deep water?—A. On the same ground and practically the same depth; and in the month of May we come close in shore.

Q. That is to say, you really have practically two seasons' fishing, one in the late fall and the other in the spring?—A. That is right.

Q. Which of the two seasons do you make the best earnings?—A. You make the best in the winter, because you are the shorter time at it, but as a general thing you will stock just about as much in the winter season in one month as you will in the spring in two. You cannot get quite as many lobsters, but they are much better in price.

Q. For market purposes—the market is in a much better condition in December and January than it is in the spring?—A. Yes. Well, it is about the same in December as it is in April, but we hold our lobsters, and some of those caught in January are not shipped until the end of January. We keep them in cars until the price advances.

Q. And in the spring of course you have to despatch them at once on account of the season?—A. Yes.

Q. Of the two branches of the fishery which is the most profitable to the fisherman, the sale for canning purposes or the fresh market business?—A. Well, that varies in different localities. Here in our locality for the present year I have received more money for my lobsters sold to the cannery than I got for what I shipped. I shipped all from 10 inches up, and those below 10 inches, I did not save them all, I chucked away the little fellows, brought me more money than what I got for those above 10 inches that I shipped away.

Q. Is the fresh lobster market an uncertain one, does it vary much?—A. It does.

Q. Does the fisherman ship his own fish to market?—A. Altogether here, since the formation of the union, we all ship our own fish.

Q. Is that done by the union or individually?—A. Individually.

Q. How do you get to the market from here?—A. We have to put them on the ox or horse wagon and take them to the place where you got off the train yesterday, at any rate we did it all last winter, and this spring we had a boat in connection with our factory and carried them to Lockport and shipped from there.

Q. You did not ship them direct to Halifax or Yarmouth?—A. No, all by train.

Q. Is the proportion of small lobsters greater in the fall or the spring fishing?—A. It is greater in the spring.

Q. Is it greater as the season advances after you get into shoal water?—A. Yes.

Q. As to the berried lobster, what has been the practice in the past with regard to her?—A. To take her out of the trap and chuck her overboard.

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Q. That is in recent years, has it always been done?—A. I do not think so, I cannot speak definitely, but I do not think so.

Q. In most places I do not think there is any doubt they are strict?—A. I think in times gone by they were more strict, that is when they were selling the markets, but now in recent years, it is five years since I have been in the lobster business this last time, and I do not think there has been a berried lobster sold in all that time.

Q. Do you think there is a general opinion among the fishermen now, that they realize better than they used to the advantage of protecting that lobster?—A. Yes—well now there are none to protect.

Q. There are not a great many of them?—A. No, I got one this summer in the whole season's catch.

Q. I guess you knock off here before the time when the berried lobsters come to shore in the greatest numbers, do you not?—A. Oh, yes, I think so.

Q. The spawning season it is generally conceded, is July and August, the latter part of June in some places, and the farther north you go the later it is?—A. Yes, I remember when I was a boy fishing with father we had until the middle of July, and in July and the latter part of June you would get a great many berried lobsters, sometimes six and eight a day.

Q. How is it with the fall fishing, do you see many then?—A. We very seldom see one.

Q. Are the fish in the fall as full of meat as they are in April or May, will they turn out as well?—A. I think so. I know this, of course, our canning business only ran this spring and we cannot say exactly as we never canned in the winter season, but shipping the fresh lobsters you get better weights, they will weigh better, that is, the live lobsters, some pounds to the crate, in the winter season than in the spring.

Q. Would you say whether in places that have the facilities for carrying it on it would be right to encourage the development of the live lobster trade, even at the expense of the canning?—A. I think so.

Q. There are some places where the facilities exist, they are close to the market and have the means of rapid transit, and it would seem reasonable in such places that that particular form of fishing should be encouraged. I suppose you fish altogether the baited parlour trap here?—A. Yes.

Q. The only difference in this trap, as I understand it, is that it holds the fish a little better than the other?—A. I think so.

Q. Do you think there is a tendency to narrow the space between the slats? When I first remember the lobster fishing, I go back to the time when we had no canneries in the gulf, 37 years ago, we had the slats generally $1\frac{1}{2}$ inches apart with us, and that has been gradually narrowed down so that now nothing like that is allowed?—A. Yes, but still I do not think there is any difference here; I do not think we ever had them more than $1\frac{1}{4}$ inches, and I think the practice is to have them about the same to-day; I know for the last five years we have made the traps just the same.

Q. Do you think it would be possible to fix a standard trap, that is to insist on a certain space being allowed? There are many places where we find it has been narrowed down to half an inch, and that must have been done with a view to holding the small lobster?—A. In fact I do not see what use a lobster that will go out of a $1\frac{1}{4}$ inch space, would be to any fisherman, or what use it would be to any cannery to put him up.

Q. There are plenty of places, not along here—?—A. Because he is so small there isn't any meat in him.

Q. We have been told in some places that the five or six inch lobster is the most profitable to can, because there is more meat in proportion to the weight of the shell, and there they buy their lobsters by weight and not by count?—A. That is just the way we bought them this spring, by weight, and the man we had packing the lobsters for us here is considered to be one of the best packers in the province to-day, in fact

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our pack got that reputation when it went out, and he is a man who is well qualified to express an opinion on that point. He says the most profitable lobster to can is from 9 to 10½ inches, but perhaps if you had these little lobsters by themselves and boiled them by themselves it might be different.

Q. They haven't anything else to boil in those places I refer to, and in many places they run 10, 12 and 14 to the pound tin. We tried it in one place and we found that it took nine 7-inch lobsters to the pound tin.—A. I expect it would take that many 7-inch. We find that the small lobsters make broken pack which we have to sell at two-thirds of its value. The reason is that they go into the boiler with the rest, and by the time the larger lobsters are cooked the smaller ones are done too much, and they fall to pieces, and another thing it is a great deal more expense to get the small lobsters out of the shell, so that we do not think there is much profit in them.

Q. All the fishermen here own their own boats and gear?—A. Yes.

Q. It has been suggested to the department that the lobster fishermen should be asked to take out a license. Have you read the evidence given last winter before the Committee?—A. I have read Mr. Nickerson's evidence, but I did not get time to read the whole of it.

Q. It was proposed by some witnesses that the fishermen should be asked to take out a license for which there would not likely be any fee charged, but this license would be a printed form, and would contain the regulations which the fishermen would be asked to sign. The idea is that having done so the fisherman would be more apt to obey the regulations himself and perhaps to give information if others were violating them. Do you think there is anything in it?—A. You mean that each fisherman in order to fish would have to take out a license?

Q. Yes, he must take out this license?—A. That may be some help.

Q. The idea is that if he violated the regulations his license would be taken away and he could not fish lobsters.—A. It may be all right, but it is certainly a fact that it is no use the officers trying to watch the fishermen. They can enforce the regulations if they watch the canneries.

Q. How is the price paid for the lobsters established, who fixes that?—A. The man that buys them generally.

Q. That is for the market lobsters?—A. Yes.

Q. And how is it fixed for the canning lobsters?—A. The same man, the canner.

Q. That is to say the canner sets up his price?—A. Yes, before we organized here we got three cents a piece for lobsters from 9 to 10 inches, and we were certain that it was a combination, so we held the lobsters here in the spring of the year until some of them died, and we had to sell them for 3 cents, whereas the season before we got 4½. We did not see any reason why we could not get as much as before, because we really knew they were worth it. When we organized we turned around and set the price at 4½ cents on our fish and for three successive years we got our price, but last year the time came when they would not give us our price.

Q. And the price was cut down to what?—A. To 3 cents from 5½ cents the previous year. That is for legal fish from 9 to 10½ inches; of course we are not dealing in anything else. Then we knew it was time to do something else and we built the cannery and operated it.

Q. Is there any competition in the matter at all?—A. There is none here at all, practically none.

Q. How many canneries are there operating in this neighbourhood?—A. Two besides the little one we have started here, those of M. Neville, and the Canada Atlantic Canning Company, Lockport.

Q. They go how far in each direction for their lobsters?—A. As far west as Port Latour, and east to St. Paul's Island, but between Port Mouton and Lockport they had practically the whole and sole control of the lobster fishery until we started this little factory of ours.

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Q. Is it your opinion that an increase in the number of canning licenses would mean a greatly increased amount of fishing?—A. No.

Q. The department restricted the number of licenses with the idea of keeping down the fishing, but they made no restrictions as to the gear, do you think it did keep down the fishing?—A. No, I do not think so.

Q. An increase in the number of canneries would not, in your opinion mean a very material increase in the amount of fishing done, but it would simply be divided up more?—A. I think that is all.

Q. Would it lead to any more competition?—A. I think it would.

Q. Is it generally the case that the canners in your experience accept all the lobsters brought to them regardless of whether they are undersized or not?—A. It is.

Q. Are they any more particular about the berried lobster, do you think?—A. I could not say because I never took them one, and I do not know of anybody who did, but I do not think they would receive the berried lobster although they might, but as regards the size I have sold lobsters the whole season and never saw a measure aboard the boat, and if you ask for a measure they haven't one.

Q. These lobsters are sold to the smackman and not delivered to the canners?—A. That is it, they are sold to the smackman, he pays for them on the spot in cash.

Q. Could you give me any idea, have you been long enough in the business to form any idea as to what it costs to prepare a case of lobsters? What are they worth when they leave the factory? I do not mean what they are worth on the market, but what would they cost to put up.—A. That is according to what you have to pay for them.

Q. Say you buy them for 4 cents or 3 cents, at the average price paid for them?—A. Mr. Swim can answer that question.

Q. Now as to the recommendations? Are you still of the opinion that the recommendations made already by your union to the department as set forth in your letter of the 13th of March, 1909, should be adopted?—A. I do, that is providing it is a general thing.

Q. What do you think would be the effect upon the canning industry generally of enforcing the 9-inch limit, would it put it out of business?—A. I am afraid it would pretty nearly put the greater part of it out of business.

Q. That would only be for a few years?—A. Certainly.

Q. Because you hope that by the enforcement of the regulations the lobsters would increase in size at all events?—A. Yes, in size.

Q. There is no doubt that in the gulf and Prince Edward Island it would put them out of business at once?—A. There is no doubt because the lobsters there are smaller than they are here.

Q. Which branch of the lobster industry do you think is the more remunerative to the fisherman and the best calculated to maintain the supply unimpaired, the canning or the live lobster trade?—A. I told you that in my own experience last year I got more out of canning, but in certain localities where they can ship with better facilities than we have they get more out of the live lobster trade.

Q. You favour the present policy of the department in issuing what they call co-operative licenses to fishermen?—A. I do.

Q. Are you the only cannery of that kind licensed in this neighbourhood?—A. Yes, I think the only one in this province.

Q. There are some in Cape Breton, Prince Edward Island and Northern New Brunswick. Are you prepared to say anything about the matter of hatcheries or pounds?—A. No, I am not.

Q. Of course when the season closes here as early as it does you would hardly get any berried lobsters, and in order to operate the hatchery we have to get the berried lobsters at the canneries, they are stripped at the canneries and the eggs taken to the hatchery. Closing here at the end of May I am afraid you would not get berried

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lobsters enough to run a hatchery.—A. I am afraid it would be a very small quantity. I have a brother who is running a lobster factory in the Baie of Chaleur, and they take the spawn off the berried lobsters and put it in a jar and after a certain time he says they look like sand flies and he thinks they grow all right.

Q. Unless the work of stripping them is done carefully there will be a big loss. I do not think I have much more to ask you, have you anything you desire to say in addition?—A. For my own part I think that statement of ours of the 13th March last about covers the ground. Of course in regard to the difference between the live lobster export trade and the cannery that varies according to localities.

Q. Yes, where the facilities exist of course.—A. Where Mr. Hemean fishes it is only a few miles from where I fish, and he can get a much greater quantity of marketable lobsters than I can.

Q. Why is that, is it because of the more rocky ground?—A. It is a different ground, farther out at sea, with a rougher bottom.

Q. It has been suggested that there is a great deal of inshore shoal water fishing done, and that it ought to be prohibited, that a larger percentage of small and egg-bearing lobsters are caught later in the season in shoal water, there are places where the traps almost dry out at low water?—A. I understand that.

Q. In many places they fish hoop nets at the close of the season, after they have done trapping, and there seems to be no question that with those nets they do destroy a large quantity of small lobsters and a greater proportion of berried lobsters.—A. There is no doubt about it that the number of small lobsters increases at the close of the season.

Q. That has been stopped on the inside gulf division years ago, and it is a question whether it should not be stopped altogether. They also used to trawl for lobsters with cod heads. There are no lagoons or anything of that kind here?—A. No.

Q. Do you think the facilities exist here for the establishment of pounds as suggested by some as a good way of protecting the berried lobster? The fishermen bring her in when she is caught, and the factory takes her paying the fishermen on delivery, and she is then put in the pound and held until the season closes when she is liberated?—A. No doubt there would be good places for a pound in this neighbourhood.

Q. There must be no fresh water, a free flow of the current and pure salt water with means of barring the mouth off so as to hold the lobsters in are necessary. In a broken shore like this there ought to be lots of localities where a pound could be established.—A. It could be very easily established in Jones' Harbour. In fact the berried lobster is so scarce here that it would not pay to operate a pound, and another thing is I do not think it is required because every fisherman here deposits the berried lobster when she is caught in her natural element, and that is the best place for her.

Witness discharged.

CHARLES H. SWIM, Secretary Fishermen's Union No. 2, Arnold Post Office, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishing?—A. It is about 26 years.

Q. Always in this same locality?—A. Yes.

Q. Are you fishing a larger amount of gear to-day and getting the same weight of lobsters than you did when you began 26 years ago?—A. We got a larger quantity of lobsters at the first out of the same quantity of gear than we do now.

Q. To what extent has the amount of gear increased within your recollection?—A. The amount of gear to a boat?

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Q. No, the amount of gear generally and the number of boats fishing it. In some places we are told it is four or five times as much as it originally was, some more and others less?—A. This present year there has been two-thirds more gear fished on the same ground than there was 25 years ago.

Q. Is it only by an increase of the gear and by better fishing that the quantity has been kept up?—A. I think so.

Q. You have heard the evidence given by your president, and you agree, I suppose, in the main with that?—A. Yes.

Q. There are certain other questions we want to get information on, as to this matter of the cost of a case of lobsters.—A. I can only speak from experience in our own case.

Q. We do not want to enter into any minute details any more than you are willing to give us.—A. It cost us for packing last spring about \$10 a case, that is including the whole cost.

Q. That includes the cost of the lobsters, the tins, the cost of labour, etc.—A. Yes, labour and everything.

Q. At that rate of \$10 per case what do you charge as the value of the meat, the lobster?—A. It would be about \$7.00.

Q. The value of the meat in a case would be about \$7.00?—A. That is about what the lobsters would cost to pack a case.

Q. Are the fishermen practically fishing on the same ground now as they did when you began or do they go into deeper water?—A. Oh, they go farther from the shore into deeper water.

Q. In what is the deepest water you have known lobsters to be caught on this coast?—A. I do not know of anybody fishing deeper than 20 fathoms, about that, that is as far as I know.

Q. And there you found the lobsters?—A. Yes.

Q. In that depth of water do you find a better run of lobsters as to size than you do later in the shoal water?—A. Yes.

Q. What do you think of that suggested method of licensing the fishermen, have you any faith in it?—A. I do not see where it would be any benefit in any way, I do not think so, no.

Q. Would you venture to say yourself what proportion of the lobsters taken here are below the legal size limit? Out of every hundred lobsters how many would be below the size limit generally, one season with another.—A. Do you mean from the very largest down or from the 10½ down?

Q. The percentage of the whole, taking large and small, how do they run?—A. I should judge to go by count, that is by the number of lobsters, that 50 per cent in all would be under 9 inches.

Q. Of course by weight it would not be as much as that?—A. Oh, no.

Q. Has any attempt ever been made by the officials to enforce the regulations with regard to the 9 inch limit?—A. Well, as regards this district they have never had any occasion until the present year.

Mr. EVERATT HARDING.—Before this station of the Fishermen's Union was organized they made a bluff at it every little while.

Q. Our information is that the packer as a rule takes everything that is brought to him, and no attempt is made to enforce the regulation?—A. I think so.

Q. What effect do you think a strict enforcement of the 9 inch limit would have upon the fishery generally and upon the canner in particular? Some fishermen have told us that if the 9 inch limit were enforced it would put them out of business, that they could not continue fishing, and the cannery say that they would have to shut down.—A. I think that the cannery who are doing a big business would be put out of business, but where the packing is being done on a small scale it would not affect them very much.

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Q. And you would hope that by a strict enforcement of the regulations the conditions would improve in a very few years?—A. I would think so.

Q. And you take that view, that it would be better to enforce the regulation, no matter what the result in the meantime?—A. Yes.

Q. And you hold to the recommendations of your Union, to which I have already referred?—A. I do.

Q. To what do you attribute the failure of the lobster industry? It is due to over-fishing or to any other cause in particular?—A. It seems to be due to a certain extent to over-fishing.

Q. Do you think it is in any way due to the neglect to protect the berried lobster in the past?—A. I could not say that because I think she has been pretty well protected.

Q. That is here?—A. Yes.

Q. Have you sufficient knowledge of the coast to know whether the size limit that you recommended, 9 inches, should be enforced along the whole coast from Canso south and west or from Halifax west? Do you think there is any reason why there should be different seasons in this part of the coast?—A. As far as I know I do not see why it should not be enforced.

Q. It is unsatisfactory, is it not, to have different size limits in adjoining sections?—A. I do not think that would do at all.

Q. Do you think it is in the interest of the lobster fishery generally that lobsters should be taken before they reach that stage of maturity at which reproduction can take place? We suppose that stage to be about 8 inches, and it must be injurious to the fishery to destroy the immature lobsters; is that your opinion?—A. That is my opinion.

Q. Do you think that an increase in the number of canning licenses would mean an increase in the fishery?—A. I do not think it would be possible that it would.

Q. You think everybody that can is fishing to-day, that all the ground is covered?—A. All the ground is covered, and all the fishermen are fishing now.

Q. Are there any people fishing lobsters here who are not engaged in the other fisheries, or are they all deep-sea fishermen?—A. In this place there are not, they are all fishermen.

Q. There are many places where farmers engage in lobster fishing—they are not really fishermen?—A. There is none of that here.

Q. Is it your opinion that the best period of the fishery is from the 15th of December to the 15th of January?—A. They get the largest quantity of lobsters during that length of time then.

Q. Are they a larger run of lobsters, will you get more market lobsters at that period of the season?—A. Oh, yes, the very largest; they are much larger.

Q. Can you tell us how many pounds' weight of green lobsters it takes to fill a pound can with you?—A. It takes 230 pounds for a case of 48 pounds; that is just what ours averaged this spring.

Q. You buy your lobsters by weight?—A. Yes.

Q. Have you any idea how many lobsters run to the hundred pounds; it varies with the season, I suppose?—A. I think they would average about 130, that is from 10 inches down.

Q. Are the existing penalties sufficient if they were enforced?—A. I think so.

Q. How is the season; do you think that the season is the right one—from the 15th of December to the end of May?—A. I do not think it could be changed for the better for this part of the coast.

Q. Is it the practice of the fishermen to fish up to the end of the season, or do they begin to slack off before the end of May and tackle other fisheries?—A. As a rule, they fish up till the end of the season.

Q. Some people have asked for increased time in the fall, that the season commence on the 1st of December instead of the 15th, and in return for that to knock off

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15 days at the end of May?—A. My opinion is that the time, as it is, is better for this part of the shore than any change that could be made.

Q. Do you think the present policy of issuing these co-operative licenses is the proper one, and that it gives the fisherman the relief that he wants from the position he occupies towards the canner?—A. I do.

Q. Is there any reason why a license to can should not be given to any man who shows his fitness to can and who is competent to pack?—A. I think there is. I think there should be some restriction on that.

Q. There will always have to be some; the man would have to show he was competent to go into the business?—A. Yes.

Q. Do you think the product of the cannery should be subject to an official inspection? The tendency of the day is, of course, to inspect all food products very rigidly, and it has been suggested that it would be to the advantage of the industry if the canned lobsters were also subject to official inspection and branded 'No. 1,' etc., the same as other food products—flour, butter, cheese and everything of that kind?—A. I cannot see where it would be of very much advantage to the trade.

Q. Well, the idea, of course, is that it would at once stamp as inferior all inferior products before they reached the market, that it would secure the careful packer as against the less careful one.—A. The only difference would be, as you say, that it would secure the careful packer, for the reason that lobsters not properly packed would not go on the market as No. 1 lobsters.

Q. That is the idea of those who recommend it. Of course it would require a competent inspection, probably an expert inspector.—A. Yes, it would.

Q. Now, is there anything else you would like to state yourself, I have gone into a good many features of the business, but if there is anything else you would like to call particularly to the attention of the committee bearing on the subject, we would be glad to have it.—A. I do not know of anything, we have had this matter discussed dozens and dozens of times trying to get the very best ideas we could, and you have already our general recommendation. I do not think of anything else I can add.

Q. Do you open your cannery in the fall?—A. We plan to.

Q. And do you propose to can what you do not supply to the market?—A. Yes.

Q. Is that generally the practice of the canners?—A. Yes.

Q. And do they run all through the winter?—A. Not very many of them in this district, they run along until, well, I do not know of any that go later than the middle of February.

Q. And they do not open up again until the middle of April?—A. The 20th of March or the 1st of April.

Q. It has been asserted that in some places there has been a loss to the fishermen by reason of the failure of canners holding licenses to operate their factories, although a sufficient supply of lobsters has been available?—A. It has not been the case in this district.

Q. Which branch of the lobster industry do you think is the more remunerative to the fisherman and the less calculated to injure the fishery, the canning or the fresh lobster industry?—A. That is rather a hard question to ask, I can hardly judge.

Q. Of course it will depend more on locality; there are localities where the fresh fish trade is out of the question, where they are too remote from means of transportation, and there are other localities which are more conveniently situated?—A. You see that the difference in locality means a big difference.

Q. Where the facilities exist for carrying on the fresh lobster trade and developing it, do you think it should be encouraged?—A. I think so.

Q. Of course that is where they have the proper facilities for exporting alive to market?—A. Of course that should be encouraged there, because actually, you take this locality, if you shut off the export of live lobsters the fishermen would have to go out of the lobster business, they could not make it pay.

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Q. What is the average revenue of the lobster fisherman who fishes actively throughout the season?—A. What does that mean? What his stock amounts to?

Q. What will he receive at the end of the season, an active fisherman, for everything he sold in connection with the lobster fishery, one with the other? Of course there is a great difference in fishermen? There is of course what he sells alive and his trade to the canner.—A. Well, I should say on an average it would go \$300, not more than that, on the average.

Q. What is the value of his boat as a rule?—A. Oh, his boat is worth about \$25.

Q. And he fishes, what would you say, 150 traps?—A. He will not average over 100 here.

Q. No, but he has to keep up his stock, has he not, he has to renew them?—A. Yes.

Q. What do you call the life of a trap, how long does it last? Our information is that a trap lasts about three years, that is making up for everything that is lost, and that the fisherman requires to renew his whole outfit of traps once in every three years.—A. I do not think it will go three years, he will have to replace those traps in less than three years here.

Q. If they will not last three years a man will have to renew his stock inside of three years—A. He will have to do so inside of three years, that is sure.

Q. What is the value of the trap with line, buoy, and everything?—A. No man can get a trap ready for the water for less than \$1.

Q. I suppose most of the men supply their own traps?—A. Yes, and they have to work pretty cheap at it to put them in the water at \$1.00.

Q. Would you say anything about hatcheries or pounds?—A. I have no experience as to the benefit they would be.

Q. I do not think they would amount to anything down here where you close the fishing so early. Is there much illegal fishing done after the close of the season?—A. None in this district.

Q. And no packing done?—A. None.

Q. What provision is made generally for the comfort and privacy of the girls that are working in the factories? It has been told us in some places that proper provision is not made, that is where the girls are obliged to live in boarding houses or cook rooms attached to the factories. Here, I suppose, most of the girls live at their own homes?—A. As far as we have gone we have had no experience of that, because we have only two and they board at home.

Q. Have you any idea as to the larger canneries whether proper provision is made for the seclusion and comfort of the girls working there?—A. I haven't any idea at all.

Q. There should be in any case?—A. There should be if they are not properly provided for already.

Q. Do you think any good purpose is served by labelling the lobster cases? Has it been the means of preventing the sale of illegally packed lobsters?—A. That is lobsters packed out of season?

Q. Yes?—A. I should think it would.

Q. What are the average prices paid to the leading hands about the cannery? Do you have a foreman or sealer?—A. Yes.

Q. What is the sealer's wage generally?—A. About \$60.

Q. Does that include board?—A. That includes his board.

Q. And what do the girls receive generally?—A. From \$10 to \$12 per month.

Q. And they board themselves?—A. Yes.

Witness discharged.

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GIDEON HEMEON, fisherman, Arnold, called and sworn:—

By the Commissioner:

Q. Are you actively engaged in lobster fishing?—A. Yes.

Q. How long have you been engaged in it?—A. About 21 years.

Q. Have you always fished in this place?—A. Always in this place.

Q. Will you tell us, in a few words, how you find the condition of the lobster fishery to-day as compared with what it was when you began?—A. I find a great change.

Q. Has that change been a steady one?—A. Yes, continuous.

Q. And is it still going on?—A. It is still going on.

Q. To what do you attribute the decrease?—A. I think it is the catching of everything, the taking of small lobsters and the destruction, no doubt, of the seed lobster as formerly.

Q. Before the existence of the union do you think it was the practice to bring to the cannery everything that was caught?—A. Not right in this locality, but I think all down the shore generally it was, within a very few miles of here.

Q. You begin to fish in the fall, the season opens on the 15th of December, do you start right off as soon as it opens?—A. Yes.

Q. And you fish generally then about how many traps?—A. About 60 to the single boat in the winter time.

Q. With two men?—A. Two men.

Q. In what depth of water do you begin fishing?—A. In about from 20 up to probably 8 fathoms.

Q. Those traps are all set on single lines?—A. Single lines.

Q. Are they hauled more than once a day or only once a day?—A. Once a day.

Q. At that season of the year what quality of lobsters do you get? Is it a good fair run of lobsters then?—A. In the first of the season they always run larger, but as the season advances we get some small ones. I think they are a better quality of lobsters than what we get in the spring.

Q. When do you knock off, about the 15th of January?—A. Well, the season will not permit us to fish longer; we generally have to knock off with the loss of all our gear.

Q. The season gets rougher, does it?—A. The season gets stormy.

Q. It is not actually due to any great scarcity of lobsters that you knock off, or is there a scarcity of lobsters; do they back off?—A. They get scarce; we cannot get them. I do not think they crawl; the water gets too cold, that is my opinion.

Q. Do you notice they are dull and loggy at that season of the year?—A. When it is cold they are.

Q. Then you bring your gear ashore about the middle of January?—A. What we have left. Sometimes we are unfortunate enough not to have any to land.

Q. When do you go out again?—A. We begin again about the 1st of April, some times about the last of March.

Q. Is it the practice generally for fishermen to bring their gear ashore, or do some of them fish all through the season?—A. I have only known of one man who left his traps out all winter, and I think he only had three or four left when the spring opened.

Q. Do you know enough about the coast conditions to say whether that is the general practice on the coast?—A. I would not like to say that.

Q. You only speak for your own immediate neighbourhood?—A. Yes.

Q. What are the conditions when you begin again in the spring season? Do you go in the same depth of water?—A. We generally go off from 12 to 20 fathoms.

Q. And you fish in that depth up till when? When do you move into the shoal water, or some men perhaps do not move?—A. Well, they are generally moving in now by the 20th of April; they begin to move then. It is just like this, we begin in from 12 to 20 fathoms of water and, as a general thing, after the first fortnight we begin to move in probably 50 yards a day and keep moving in towards the shore.

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Q. I suppose the idea is to follow the lobsters?—A. The lobsters are so scarce generally in the spring that we do not know what to do; we cannot get them anywhere outside of that, and we move in.

Q. Has any attempt been made to catch the lobsters in deep water?—A. We have tried it at 25 fathoms, but we have to go a long way off shore to get deeper than that.

Q. How far off?—A. We have to go three miles off to get 25 fathoms.

Q. Do you get any lobsters there?—A. I do not know. One man has tried it, but I do not think he got many lobsters there.

Q. If the lobster fishing stops altogether for a term of years, what will be the result?—A. It will be very serious.

Q. It has been proposed to shut down altogether?—A. I do not believe that would do at all.

Q. Do you think it would be too severe a measure?—A. Too severe.

Q. It forms now a very important item in the fishermen's revenue?—A. The most important in this locality.

Q. And it is a cash business?—A. A cash business.

Q. And it is almost the only branch of the fishery where the fisherman gets an immediate cash return?—A. Well, I suppose it is practically that; there are times when we get cash for other fish, but we have to wait sometimes for the live lobster returns.

Q. How long do you have to wait for the live lobster report?—A. Not more than a week unless there is delay in the mail.

Q. Is there much loss in the live lobster trade?—A. Sometimes there is none and then again at other times it is pretty heavy. The transportation facilities are not nearly as good as they ought to be.

Q. But generally the returns are better?—A. I do not know that they are any better, sometimes in the spring we have them cooked, and in winter they are sometimes frozen, but we do just as well then as in the spring, we get probably 25 to 50 per cent more for them in the winter time than we do in the spring.

Q. The winter is the best market for them?—A. Oh, yes.

Q. That is due to the fact that there are not many lobsters coming in from other directions?—A. Yes.

Q. Has the decrease in the size limit in the Boston market injured that market?—A. I think probably it must have; it is my opinion that the Massachusetts people wanted to get cheap lobsters and that they are getting them at the expense of the Nova Scotian fishery.

Q. Would you venture to tell us what is the percentage of small lobsters taken and sold?—A. I think Mr. Swim's evidence was somewhere near it.

Q. You have already heard what he said, 50 per cent I think he said it was.—A. Probably not quite as much as that.

Q. I suppose it varies with the season?—A. Yes, it will, at the last of the season.

Q. And with the locality?—A. Yes.

Q. Do you think you get more small lobsters late in the season in shoal water than you do in deeper water?—A. I think so, and the reason for that is that the large lobsters are caught off more quickly, before they get into the shoal water.

Q. Do you think there is anything in the proposal that a certain space be allowed between the slats? Do you think if that space were fixed at 1 or 1½-inch it would permit the escape of a larger percentage of small lobsters?—A. What do you mean by that?

Q. That if the traps were built to a certain standard with a much larger space between the slats than there is now?—A. I understand.

Q. In many places the space has been narrowed down, and that could only have been done with the object of holding the small lobsters.—A. No, I differ from you there, I would not like to see any man building those traps to suit somebody else for

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this reason that our shore in a good many places is covered with sea eggs, wrinklers, and if your traps are not reasonably close you will have them full of sea eggs.

Q. There is no question that in the early days of the fishing we had a very much larger space between the slats than we are allowing now.—A. Yes, and I tell you another thing, I do not think there is any question that in this locality the bottom used to be covered more than it is at the present time, and where the kelp is you do not get these sea eggs, they are only to be had on a white bottom.

Q. To what do you attribute the decrease in the kelp?—A. I do not know, I suppose it must be something that eats it; I have an idea myself that it is these sea eggs. Four or five years ago they came ashore in windrows on the beach in large quantities and just as soon as they did the kelp began to fail.

Q. A great many people have suggested to the department that a standard of trap be established?—A. I do not think that would do, I do not think it would protect the fishery.

Q. You do not think the small lobsters that get into the trap would go out again?—A. There are lots of them get out, and lots of them will go out without having a standard trap, and lots of those who have their laths 1-inch apart will have their traps full of these wrinklers. There is no trouble about the lobsters going out.

Q. Is it your opinion that the existing regulations have ever been enforced?—A. I think they have in some cases, I think so; our fishery officers always seemed to be quite active in this locality up to the last four or five years, until we organized our Fishermen's Union, when there was not any need of it, we protected them ourselves.

Q. Do you think the practice of stripping the berried lobster was ever carried on here?—A. I do not know whether they were ever stripped or not, but I think they have been sold as they were with the seed on them for the American market.

Q. Do the American smacks come up here continually to purchase lobsters?—A. At the present time?

Q. Yes?—A. Oh, yes, they do.

Q. They are buying them for the pounds in the State of Maine, I suppose?—A. I think so, there is no doubt, but we can hardly tell because sometimes they say they are going to put them on the market and sometimes they say they are going to pound them.

Q. How does their price compare with the local price?—A. Oh, they are away above the local price, of course they only buy the large lobsters.

Q. Are they particularly anxious to get the berried lobsters, do you know?—A. I do not know that they are, I have not sold any to them for two or three years.

Q. Farther up, in New Brunswick, they are buying up the berried lobsters and carrying them off to put them in their pounds, and if that is so, it is a very serious matter?—A. I think so.

Q. What do you think of the proposition to license the fishermen?—A. I do not know. I do not think it would be of any use; we have handicaps enough now.

Q. Do you not think it would make the fisherman more likely to obey the regulations or to inform on his neighbour if he did not?—A. No, I do not think it would.

Q. What do you think of the season as it now exists here? Is it the best season for the purpose?—A. I think so.

Q. Will it stand any shortening?—A. Well, I do not hardly think so. We have only about three months' fishing, that is the best we can get, and if it is going to be shortened the latter end would be the best, but it would make the spring almost unprofitable. Do you see any reason for shortening it?

Q. What do you think of the matter of licensing, do you think that any man who shows his competence to pack should be granted a license as well as another man?—A. I think that any man who can show his competence to pack lobsters should be allowed to do so as well as any other man.

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Q. Do you think an increase in the number of canning licenses would mean an increase in the amount of fishing?—A. It would where the packers own the boats and gear and hire the men but here it would not.

Q. In the case where the canner supplies the boat and gear would you approve attaching a condition to the packing license limiting the number of boats to fish for that license?—A. That I would not like to say.

Q. Do you think it would be reasonable to say on that license that the canner would be allowed to fish so many boats and gear? Otherwise there would be no limit to the amount, and in some places where the cannery are providing the gear and boats they are fishing too much and overrunning their neighbours?—A. Yes, that is right, and I think perhaps in that case it would be wise.

Q. Do you know anything else you can suggest?—A. I think you have covered everything pretty well. I approve of the recommendation of the union, and if there is any change in the size limit I would say go to 10½ inches instead of 9; put the limit higher instead of lower.

Q. But that would put the canner out of business?—A. Yes, I think it would perhaps in some places, but I would rather put the canner out of business than put the fishery out of business.

Q. I might perhaps compromise in my report by recommending a minimum size for Charlotte county of 10½ inches?—A. I do not believe the law will ever be enforced unless it is put in that way, so that circumstances will enforce it.

Witness discharged.

Messrs. George S. Decker, jr., David F. Harding, Robert Swanburg, Austin Swanburg, John Ringer, Gordon Taylor, Langille Decker and Ralph Harding, fishermen, being present, endorsed the evidence given by the previous witnesses as expressing their views.

The Commission adjourned.

CLARKE'S HARBOUR, September 13, 1900.

ARNOLD C. NEWELL, fisherman, Newellton, Cape Island, called and sworn:—

By the Commissioner:

Q. I understood you to say you did fish lobsters for a number of years?—A. Yes.

Q. How far back does your connection with the lobster fishing go?—A. 1882.

Q. And then you remained in the lobster fishing?—A. I was in the exporting. I ran a smack from here to Boston with live lobsters.

Q. How long were you engaged in that phase of the business?—A. Eight years, probably.

Q. In those days you used to buy the fish offshore from the fishermen?—A. I used to buy them right here in the harbour.

Q. They fished close in?—A. Close in.

Q. In what condition was the lobster fishing then?—A. They were plentiful and very cheap.

Q. What was the price?—A. From 3 to 5 cents for 10½-inch lobsters.

Q. You never took any small lobsters in those days?—A. 10½ open measure. That was the law in the state of Massachusetts then.

Q. Had you any difficulty in getting all that you wanted then?—A. No.

Q. Were there other smacks engaged in the business?—A. Yes.

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Q. Was that the only way in which they were exported in those days?—A. In the first two or three years that was, but after about 2 or 3 years the exportation of crates commenced.

Q. In those days how did you carry them?—A. In well smacks.

Q. And a few years afterwards they exported them in crates by steamer?—A. Yes.

Q. Where did they export them from, from Yarmouth?—A. Yes, and after I did the smacking I engaged in the export of fish in crates for several years.

Q. Did you ever do any actual fishing?—A. Oh, yes.

Q. When?—A. From that until within four or five years.

Q. You carried on the fishing from where?—A. I fished from Woods Harbour in this county.

Q. When did you begin the fishery, at what season of the year did you begin to fish then?—A. We commenced, I think, on the 15th of December, the same as it is now and on through the first of January to the last of June.

Q. In what condition was the fishery then?—A. In what way do you mean?

Q. How was the fishing, when you were fishing compared with what it was at the time when you went smacking first; were the lobsters still abundant and of good size?—A. They were not as abundant as when I commenced smacking.

Q. And what was the practice of the fishermen then, canneries had been established then?—A. Canneries were established before I ever went fishing, a few.

Q. Have you any idea when canning was first established here?—A. I think it was in the '70's, '71, I can remember it very well, there were two or three canneries here.

Q. In the beginning of your connection with it, when you went smacking, did the fishermen at that time catch the immature lobsters?—A. What do you call immature?

Q. Under 8 inches, we will say?—A. I do not believe they did.

Q. When you began fishing yourself what was your practice?—A. To throw away all under the legal size of 9 inches.

Q. Was that the general practice?—A. Yes.

Q. Were they not brought to the canner?—A. No.

Q. Did you sell any to the canner at all when you were fishing?—A. Yes, in the first year I was fishing I never sold any, they would not buy them.

Q. Why would they not buy them?—A. I cannot tell you that, probably they had as many as they could can without them, and probably they were afraid of the law, but I cannot tell you, that is supposition on my part.

Q. How did you dispose of your lobsters when you were fishing?—A. I shipped the legal lobsters in the United States to Boston, 10½ inches, and just passed the others to the cannery.

Q. That is those between 9 and 10½ inches?—A. Yes.

Q. Did you catch any proportion of berried lobsters in those days?—A. A great many.

Q. What was done with them?—A. Threw them away.

Q. Was the practice of brushing them off at all general among the fishermen?—A. No, nobody but a rascal would do that; I suppose there were some rascals would do it.

Q. There is a great deal of it done, they say.—A. I do not believe there is a great deal of it done here.

Q. How many years did you carry on the fishing?—A. Fourteen or fifteen years.

Q. And did you notice a decrease in the lobsters both as to size and quality?—A. Yes.

Q. Was it going on steadily?—A. Yes, they were gradually becoming scarcer because we had to go farther away for them.

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Q. What number of traps do you fish per boat?—A. When I first commenced it was 75 and when I knocked off 150.

Q. When you began to fish on the first of January where did you fish?—A. Practically on the same ground as we fished in June, but not as far back.

Q. In what depth of water?—A. From 3 to 15 and 20 fathoms.

Q. And you fished on the same ground in the winter as in the spring?—A. In the winter we did not put them in the shoal, because we had less traps.

Q. Did you fish all through the winter?—A. Yes, I always fished through the winter, when I commenced to fish I fished the season through.

Q. How was the fishing in January, February and March?—A. Not as good as it was in the other parts of the year; though comparatively good, it was very much less in those months.

Q. And was there any improvement as the spring came on?—A. Certainly.

Q. And when had you the best of your fishing?—A. In April and May.

Q. Did you increase the number of your traps as you moved farther off shore?—A. I increased the number of traps when I moved farther in; we could not fish in the winter because it would be rough and break them up, but when it got finer we went out farther.

Q. How were the traps fished, on trawls or single lines?—A. Single lines; we fished the old-fashioned double ender trap, and after a few years we gave it up for the improved trap.

Q. How long since the improved trap was first used on this coast?—A. About 15 years I should judge.

Q. What is the particular merit of that trap as compared with the old trap?—A. Once the lobsters get into that trap they cannot escape.

Q. What price would you receive when you smacked lobsters first?—A. Three or four cents was paid; at the extreme outside it was six cents, and not only that, but then of the legal lobsters 15 out of 100 we would throw away because they were lacking one claw or something of that kind, but now they take anything.

Q. That is what you used to pay for market lobsters?—A. Yes.

Q. What did you receive from the canner for those sold to him?—A. You mean now when I shut off fishing?

Q. Yes?—A. From 10½ to 9 inches you are speaking about?

Q. Yes?—A. From 3 to 5 cents a piece.

Q. That was by count, not by weight?—A. I always sold by count.

Q. You never sold by weight?—A. No.

Q. What is the practice here now as regards that, are they all sold by count?—A. Here, in the immediate vicinity, they are sold by count, but in some other places by weight.

Q. When you were fishing did you export your own market lobsters?—A. If I thought the man was paying a good price I sold them to him, but if I thought there was more in it to export them I exported them, but, on the whole, I sold a great deal more than I exported.

Q. What is the practice of the fishermen here to-day?—A. Most of them export on their own account.

Q. Do they consign them to a commission agent or consign them to Boston?—A. Yes.

Q. Are there fishermen who sell to the local exporters?—A. Yes, the small ones from 10½ to 9, the majority of those are sold here; they do not export them, but it is like everything else, some sell and some export them.

Q. Why is it that the smaller run from 9 to 10½ are sold here? Why do they not export those fish themselves?—A. There is a big expense; the small lobster business is mostly done with New York, and the fishermen have never had a success with the New York market.

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Q. It was always a 9-inch limit in New York, but it was 10½ in Boston?—A. Yes, the exporters know the markets better. They watch them, and they have large cars here so that they can hold the lobsters if they want to in order to wait for better prices.

Q. That is the case generally, the large ones are sent to Boston and the medium run are sent to New York?—A. Yes.

Q. That is in spite of the change in the law at Boston?—A. Yes, the fishermen that are shipping their own lobsters generally ship them to Boston, but the dealers there do not want many of the mediums. They cannot do as well with them as the New York dealers can.

Q. What proportion of the fishermen's total catch goes to Boston and New York?—A. I can hardly get at your meaning.

Q. I was asking you about the proportion of the fishermen's catch that is exported and the proportion that is sold here?—A. By weight or count?

Q. Put it either way you like?—A. In weight, I presume, half the lobsters they catch would be sold here.

Q. That is in weight?—A. Yes.

Q. And in count how would it be?—A. It would be different, because the large ones are three or four or five times as much as the others in weight.

Q. What percentage would it be by count?—A. On the average, we would have to take that, that is the only way we can get it, it would be 25 probably.

Q. 25 out of 100?—A. It varies, of some catches it would be 50 perhaps, and in other catches a great deal less.

Q. That depends upon the season, the locality and the bottom?—A. I think 25 per cent would be about it.

Q. And of the 75 per cent remaining what proportion would be between 9 and 10½ inches?—A. In count you say?

Q. Yes?—A. Well, I should think probably 30 or 40 per cent in count.

Q. That is 40 per cent and 25 per cent and the balance would be large ones?—A. I mean 30 or 40 per cent after the big ones were taken out.

Q. And the balance would be what we would call illegal lobsters?—A. We do not call them illegal; here everything is legal.

Q. Tell me, have the regulations ever been strictly enforced?—A. Yes.

Q. When?—A. When I had to throw them away.

Q. When was that?—A. The first four or five years I lobstered we were scared of the fishery officer then.

Q. Was that simply because you were scared of him? Or was he active in enforcing the law?—A. Yes, he was, we would not have been scared of him if he wasn't.

Q. At what date was that, how long ago?—A. I cannot fix it, it was a good many years ago.

Q. Of recent years has there been any attempt to enforce the regulations?—A. Not here.

Q. Is the close season observed?—A. Yes, strictly, the fishermen enforce that themselves. If a fisherman two miles from here saw a string of traps out he would immediately report it to the officer, there is no fishing at all here out of season.

Q. And consequently no packing out of season?—A. No.

Q. When you were smacking, did you smack in January as well as April and May?—A. No, the first of April. When I first commenced smacking there was no fishing in the winter time practically.

Q. What number of canneries are in operation in this locality?—A. What do you mean, on this island here?

Q. Yes, in this immediate neighbourhood?—A. Four.

Q. Who are they owned by?—A. F. T. Nickerson, M. J. Neville, A. S. Swim, and the Cape Sable Packing Company.

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Q. Have these canneries been in operation for many years, licensed to these same people?—A. Yes.

Q. Were there ever more canneries than there are now?—A. I do not believe there were.

Q. Have you any idea of the output of these canneries, what is their average pack?—A. I have an idea, but you could get that better from them.

Q. Which of the two fisheries do you consider the most remunerative to the fishermen to-day, the export of live lobsters, or the sale to the canner?—A. The export trade is far more I think; but you might think I was biased in that, yet I think everybody will admit that.

Q. When the fisherman exports his lobsters how soon does he get his return from them?—A. Three or four days, that is from Boston, it would take a week from New York.

Q. Is there much loss of lobsters between here and the market, owing to the death of the lobsters?—A. Occasionally there is.

Q. That occurs generally at what season?—A. There is more in May than at any other time. Yes, I think at the first and at the last of the season, the first shipping in December and the last in May.

Q. Why should there be much loss in December?—A. Because the lobster shells are not so hard and the lobsters do not stand transport as well then, and in May it is getting a little warm to ship to Boston, and then again owing to the difficulty of transportation, the piling of other commodities on top of the lobsters.

Q. How long does it take the lobsters to get to Boston?—A. The lobsters leave the water here at 2 o'clock, and they are in Boston at 10 the next day, they go to Yarmouth by the small steamer and from there to Boston by the big boat.

Q. Are there none shipped by rail from here to Boston?—A. No, some go by rail along the shore here to Yarmouth, by rail the price is enhanced a great deal by the bulk of the crates in which they are carried.

Q. Has the change in the law in Massachusetts from 10½ to 9 inches affected the sale of the lobster in the Boston market?—A. I think it has made them cheaper in Boston.

Q. And how has it affected the market here?—A. If the lobsters are cheaper in Boston, certainly they must be cheaper here. At the time Mr. Prince was around here taking evidence I found by observation that the decrease in the quantity of lobsters had been totally offset by the increase in the price. If a man got half as many lobsters at the time he was here it paid him better in the end. I paid the winter before last 50 cents a piece for 10½-inch lobsters and I paid 7, 8 and 9 cents for mediums.

Q. Can you give me any idea of the number of fishermen engaged on this island in the lobster fishery?—A. If a man and a boy were engaged you would call them one man, would you?

Q. How do they generally fish?—A. Two, sometimes three and sometimes four.

Q. Do they fish single handed at all?—A. A man will go in his own boat and hire a man to tow his boat, and when he gets on the ground he will drop his tow and will be picked up again after he is through fishing.

Q. How many boats do you think there are on this island engaged in the fishery?—A. There must be 500 boats, but you see that a man will go in his own boat and tow another one, that will be two boats, but I think there are that number.

Q. And these boats are fished by from two to four men?—A. Yes.

Q. Can you give me any idea of the average revenue of an active fisherman fishing in that way?—A. Do you mean the gross revenue for the season?

Q. Yes.—A. On an average the man's gross earnings, I should think, this is only my judgment, you know—

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Q. I know, that is all we can get.—A. It would be \$700, I should think, if he does not earn that much he is going astern, some earn \$1,400 or \$1,500 and some not more than \$200 or \$300. But if it costs him \$700 to go fishing——

Q. That is for his outfit?—A. Yes, but of course it does not cost a great many as much as that.

Q. What do you reckon a trap to be worth with all its gear?—A. It would be \$1 I should say.

Q. Do the fishermen generally make their own traps?—A. Yes.

Q. Is there any standard space left between the slats?—A. No.

Q. Has there been any tendency to narrow that space down?—A. If I were fishing now I would make it so narrow that it would hold everything that got in.

Q. Is that the general practice?—A. I guess it is.

Q. And what was it when you began fishing?—A. We had it much wider than that when I was fishing. When I was engaged in the fishing I used to swear at the little fellows that got in the trap because it took up my time to throw them out, but I would not do that now because I would take everything I got.

Q. How would a strict enforcement of the law regarding a 9-inch limit affect the fishermen and the canner here?—A. It would drive the canner out of business.

Q. And the fisherman?—A. Well, I think he would have to go out of business.

Q. You think it would put him out of business if the law were enforced?—A. I am not advocating the limit, but if that law were enforced in the winter there would be no lobster canning because the market takes all the legal size, but in April and May there would be some for him; it would practically put him out of business, although the market cannot take them all then.

Q. And what about the fisherman?—A. He would not make as much money and some of them would have to go out of it. I think it would be a very unwise thing. I have always said this, that the lobster law was a laughing stock to the people. It should either be enforced or wiped off the statute book. But, as I said before, I do not know what the result would be if it were enforced, or whether it would result in any increase in the fish, but I am not in favour of a 9-inch law. That, however, is only my own personal opinion.

Q. We would like to have your personal opinion, what law would you have?—A. I am in favour of either making a shorter limit and rigidly enforcing it, or else making no limit at all, one or the other.

Q. And retaining the same season?—A. By all means.

Q. From the 15th of December to the end of May?—A. It has been a question with many people, and I am not settled in my own mind, whether it would be better to make it from the 1st of December to the 15th of May, or to continue the same season as we have now, but there is a great difference of opinion upon that point; the man who gets his lobsters late in the season wants it extended one way and the man that does not wants it extended the other way; if the man wants to engage in mackerel fishing he wants the season a little earlier; practically I do not believe you will find anybody wants the season varied more than 15 days.

Q. You were talking about the size limit, what would you fix it at if you reduced it?—A. I think 8 inches. I was talking to a packer the other day and he said that a lobster 8 inches was full of meat so that he could do something with it, but with the little fellow of 7 inches or 6½ he could do nothing. I think that a limit of 8 inches and properly enforced would be better.

Q. Would it be easier to enforce an 8-inch law than it would be a 9-inch?—A. I cannot say, but in my opinion it would be pretty hard. I have to take people by observation, by what I see them do, and I think the people in this vicinity are in favour of catching small lobsters. That is my honest opinion.

Q. You judge that by the practice?—A. Yes, they make the excuse: 'Oh, well, my neighbour catches them and I might as well, but I do not want to catch them if the other fellow doesn't.'

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Q. We hear that in all directions?—A. I think that is a poor excuse.

Q. And the same excuse is given for brushing the eggs off the berried lobsters?—

A. That is just about the same reason that a man gives for not doing statute labour, but that is no excuse at all.

Q. Do you think any increase in the number of canneries would mean an increase in the number fishing?—A. No.

Q. Practically all the fishing that can be done is done?—A. I think that is very wrong; allow every man who wants to pack to do so. Every packer can pack more than he can get now, and the people fishing are just the same; it would make no difference at all.

Q. The policy of the department, I suppose, of course I do not know the reason for doing it, in limiting the number of canning licenses, was that in keeping down the number they were keeping down the fishing?—A. That is a mistaken idea.

Q. It did not have that effect at all?—A. It did not.

Q. Is there any reason in your mind why one man should not have the right to pack as well as another, provided he can show his ability to pack?—A. It is nobody's business whether he can pack or not.

Q. Do you think any inspection should take place as to the condition of the pack?—A. What do you mean?

Q. There would have to be some check of some kind on that?—A. In what way?

Q. There would have to be some inspection of the canneries to see that the packing was properly done?—A. There is none now.

Q. There is none now, but the number of canneries is limited?—A. That makes no difference; if there were only one factory here, and the canner puts up poor stock, or if there were a dozen putting up poor stock, what is the difference?

Q. I fancy that, as far as the factories now existing are concerned, they put up pretty good stock, but you can easily fancy that if every Tom, Dick and Harry were allowed to pack lobsters there would be some need of inspection?—A. I think it is a hardship to give one man a license and refuse it to another. Every man who wants should be allowed to pack.

Q. What do you think of the policy of the department in issuing co-operative licenses to can?—A. I think it is wrong to discriminate. It is my business to belong to a union or not, as I please. I am not expressing an opinion whether it is an advantage to belong to the union, but I do not think you should discriminate against us and say that if we do not belong to a union we will not be allowed to pack.

Q. What do you think of the proposition to require every lobster fisherman to take out a license?—A. If he takes out a license has he to pay for it?

Q. He need not have to pay for it, but the idea is that before he begins fishing in the spring he would have to come to the fishery officer, or the overseer would come to him, and he would have to take out a form of license to which he would subscribe, and which would recite the conditions and the law. It is thought that having done that the fisherman would himself obey the law and inform on others who did not.—A. I do not think he would, I have no use for an informer anyway.

Q. Do you think that the product of the cannery should be inspected, that is the canned article?—A. I think it should.

Q. That is by an official inspection?—A. I think so. I see that they inspect meat and all those things, and when that is done I cannot see why there should be any discrimination with regard to anything that is packed; if one article is inspected everything should be.

Q. It has been alleged that in some cases the fishermen have suffered injury by the failure of the canners to operate their canneries although there was a sufficient supply of fish available, have you any knowledge of anything of that kind occurring?—A. Not in this district.

Q. Not even when there was a sufficient supply of lobsters available?—A. That has never occurred here.

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Q. Should the shipment of live lobsters be favoured in preference to the canning?—A. Anything should be favoured that brings more money than something else, and I told you that the export trade is a great deal more productive than the canning business, but you should not ask me that question because I am a buyer for the trade.

Q. Are the present facilities adequate for the proper handling of the live lobster trade? If they are not, what should be done to improve them?—A. If we had four boats a week instead of two it would be better for us, and they should have cold storage too. Do you know whether the Railway Commission have any jurisdiction over those people?

Q. Over which people?—A. Over the steamer people? They have over the D.A.R., and certainly they should have over the steamers.

Q. They are supposed to have over all railways.—A. But there are some boats that run in connection with the railway, and they are charging us exorbitant rates on our fish. Has the Railway Commission any right to remedy that?

Q. If they are running to a foreign port I do not know how far the Commission will have jurisdiction?—A. They operate in connection with the D.A.R.

Q. What do you think of the matter of hatcheries, have you had any experience with hatcheries?—A. No.

Q. What do you think about pounds?—A. I think they are a grand thing to put berried fish in.

Q. Do the facilities exist in this neighbourhood for the establishment of pounds?—A. I think they do.

Q. Have you any opinion to offer about the method of labelling cases?—A. No.

Q. Has that been the means of restraining or of putting an end to illegal packing, do you think?—A. I think it has, I think it is a good thing.

Q. I think you have already told me there is no fishing out of season?—A. There is not.

Q. I do not think there is anything else I am particularly anxious to ask you, have you anything further to state?—A. There is one thing, I do not know whether it is your jurisdiction or not, but we are discriminated against by the inspector.

Q. By the inspector?—A. Yes.

Q. In what way?—A. I will tell you——

Q. Is he the local officer or the provincial inspector?—A. The overseer we claim is unfair to us. We do not export illegal lobsters knowingly, if there are any in the crate they are there by mistake.

Q. What do you mean by illegal lobsters?—A. Short lobsters, if they are there it is by mistake. You are making up crates of lobsters to ship, and a few small ones may slip in occasionally by mistake, and then again sometimes you may be a little short of the quantity to fill the crate and a man may sometimes put in a few that he would not if he had larger ones, and if a crate is found to contain 5, 6 or 10 lobsters under size, the whole crate is confiscated.

Q. Where does that happen?—A. In Yarmouth, right in the town, it is done by the overseer there, while right in that very town thousands and thousands of small lobsters are being canned illegally. These lobsters are not put in intentionally, often, there is no doubt about that, but even if we did it intentionally we should have the same rights that those people in Yarmouth have.

Q. I can quite understand that now and then a small lobster may escape your observation?—A. A man necessarily has to guess at the length, he cannot measure every one.

Q. That undersized lobster is not worth anything at Boston, is it?—A. No, they throw them away, and in New York we are warned repeatedly to be careful because there is a \$5 law there, and they rigidly enforce it, so that if the small lobsters are found in the crates there they are thrown away. I know of a man who had one crate of lobsters worth \$30, sold in New York for \$5 or \$6. We do not object to a

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strict enforcement of the law, but what we do object to is, to use a homely expression, making fish of one and flesh of another. It is all very well if they have a law to enforce it, but they should treat us the same as they do the canners, we should receive the same consideration; if we deserve it, fine us the same as they would the canners, but to confiscate all our fish because a few small ones get in unintentionally, it is not fair. We buy the fish and we have to pay for them, and if the small fish are found in our crate when they get to New York they are thrown away, so that we lose them, but we should not lose all the rest of the crate.

Q. They do not pay you for the lobsters?—A. No, we do not get paid for them. If they happen to catch them at Yarmouth they seize our crate, they open the crates, they throw them out, after we have carefully packed them in moss or something of that kind, and then they throw them back in the crate again. It does harm to the fish, and we would not object to their examining them if they would throw away the little fish and fine us. We would not think so much of it, but when they confiscate the whole crate we object. It is an open secret that illegal lobsters are sold to the canner and packed, and for the overseer to enforce the law rigidly against us and allow that to go on in his own town, we claim is not a fair thing. In any event we claim that after those crates have passed muster here they should not be inspected at Yarmouth, but Mr. Hatfield told me that if he wanted to open a crate of lobsters, even if there was a tag on it, it would make no difference to him. We have a certificate, printed in Ottawa, and sent here for the local officer to attach to the crates, stating that they have been inspected and they contain no illegal fish.

Q. And is that signed by the local officer?—A. Yes, and those fish are not supposed to be opened at Yarmouth, but Mr. Hatfield himself told me it would make no difference to him, that his orders to his men were to open the crates in Yarmouth, so that he is not obeying the order of his superiors. Mr. Robertson has told me repeatedly that it is sufficient if the local man here inspects them. There is another thing I would like to say, that I think the men are making as much or more money now than they did when I first went to lobster fishing.

Q. That is due to the price?—A. It is the increase in the price.

Q. Is there a very considerable increase in the number of fishermen fishing and the gear fished?—A. Yes, they go a great deal farther. When I first went fishing a man who had a boat worth \$25 was well equipped, and now they have gasoline boats that cost \$700, but of course they are used for other fishing.

Q. Do they use the same boats for lobster fishing here that they do for the other fishing?—A. Yes, the same boats, but the price has gone up so tremendously owing to the scarcity of fish. I suppose that they have pretty nearly reached the limit now so far as the price goes, but I do not know if they keep on fishing the small ones what it will amount to in the future. I know that when I first commenced to save the small lobsters a good many years ago they said: 'That will soon ruin it,' but it has not ruined it yet.

Q. Is the proportion of large lobsters decreasing?—A. Oh, well, if you fish on the same ground they fished on 20 years ago there would not be anything to catch. They do not catch them there at all now. If you go off here 7 or 8 miles and string out a lot of gear the fish would get into it freely, but if nobody fished there you would catch them in here. They head off the school. In the spring when the season breaks up and lobsters are coming on the fishermen go away off and catch them up before they get in. The proportion of large lobsters has not increased, I don't think.

Q. We hear that a considerable number of United States smacks or vessels come down and fish offshore here?—A. There was one came this last year, and the same one came again this year, and my opinion is there will be more next year unless it is stopped. I think they will be here as soon as the lobster fishing opens.

Q. They will not come here through the winter?—A. No, not before May likely. They come in here and buy the fish then; down east they buy more than they do here,

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but as soon as the lobster season closes here they go and fish outside. I want to ask your opinion on that, what is the remedy for that?

Q. I do not see what we can do if they fished outside the 3-mile limit; I do not see that we have any control of them, but if they come in here to transact or do any business in here I think we can reach them?—A. But supposing he comes in here out of a storm and you are in here in your cutter, can you seize him.

Q. That is a ticklish question. We always have to act very gingerly in these international questions, but I am inclined to think that these lobster vessels have no right to be in here at all?—A. You see this is an important question.

Q. If they increase the number of their fishing boats down here they may drive you off altogether?—A. Outside of the line they fish the same grounds as our own boats. We fish a great way off shore here, outside the 3-mile limit.

Q. No one within our territorial limits has the right, I think, to have lobsters in his possession during the close season?—A. I presume if I went off here with a Canadian vessel and took lobsters and then came into harbour here, and you came along with your cutter, I would be liable to be seized, but in this case this man is in here for shelter.

Q. I do not see why he should be treated any differently from you?—A. But you would not like to seize him under the circumstances.

Q. I would not like to seize him without consulting headquarters. New cases are arising all the time?—A. He does not come here as a fishing vessel, but under register and he comes here, takes aboard this stuff, and has an outward manifest that he is going to land it in Portland, but he goes fishing instead and uses part of it, and when he comes in he says 'I lost part of this on the way over,' and that covers the thing when he gets to Portland. This American vessel will come back and anchor in the harbour overnight with the lobsters aboard, and if one of the fishermen were to do the same thing his vessel might be seized, but apparently you cannot do that with the American vessel. It is not at all fair, and I am afraid if our fellows see that thing is going on they will say, that if the other fellow is going to be allowed to fish out of season they will do the same. With reference to the discrimination against us at Yarmouth, I do not think the question will ever be settled until Mr. Hatfield dies.

Q. How long has it been that way there?—A. Eighteen or twenty years.

Q. I think the department considers that he is quite an active officer, and is attending to his duties, that is as far as I know.—A. He is too active, but he will not protect the fishery by taking money out of my pocket. Here you have a canner and you let him go on canning illegal lobsters, you know that he is doing it, and by and by you just say to him, 'You pay \$25 fine for canning illegal lobsters.' But you let him continue doing it until the end of the season.

Q. I do not know anything of this sort of condition in my own region, but I see by the evidence before the committee last session that that sort of thing is done here. It depends upon what becomes of the money collected in fines in that way.—A. It does not make any difference, the department is as bad as he is; of course if the department say that they are going to get as much money out of these fellows as they can, then it is all right. But when a fishery officer tells you that he knows the canneries are canning small lobsters, and that he makes it a rule to fine them once a year and then let them go on, do you call that enforcing the law? That has come under my observation, and one of the fishery officers told me that.

Q. We have that in evidence last winter, has there been any change this summer?—A. They have fined them, yes, but they do not fine them here, they say, 'If you are going to can them go ahead, I am not going to take the money out of your pockets.' I do not think the 9-inch limit can ever be enforced here.

Q. What would you do, it is necessary to do something to preserve the lobster fishery, it is failing is it not?—A. I have told you that people are making more money now than they did twenty years ago.

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Q. But there must be an end to it sometime.—A. Yes, I suppose there will be.

Q. Supposing you had the making of the regulations, what would you do?—A. I say that if you were here and had charge of the fishery here, and you knew that by enforcing the law you would make your life miserable, and have everybody hating and growling at you because you were enforcing the law, you would go into the asylum, that is human nature.

Q. If that is the case, if it is as bad as all that, you had better let the lobster go until he is killed out and then shut down for a number of years?—A. My theory is that the world was made and the people were put in it to live, and they never will be allowed to starve, I think there should not be any limit put on anything, that I should be allowed to go and kill the moose in the woods if I wanted him, so long as I did not waste the meat, and it is the same with the lobster; a man should be put in the penitentiary if he wasted the lobsters. I would make the short limit 8 or 7½ inches and keep the close season as it is, and rigidly enforce it, but I do not believe it ever can be enforced at the 9-inch limit, not only that, but I do not think it is a wise law.

By Mr. Moses Nickerson:

Q. Would you not give the lobsters a chance to breed?—A. They have plenty of chance to breed.

Q. If you take them down to 8 inches they will not?—A. It is a rare thing to find a small lobster with seed on it.

By the Commissioner:

Q. Do you think they should be destroyed before they reach the age at which they can reproduce themselves?—A. All the big sized lobsters are berried lobsters at some time. I have noticed that if you take the she lobsters and cook them you will find seed in them.

Q. Of course all the lobsters you find with berries on are female lobsters?—A. Some people say, 'Do not catch any big ones.'

Q. Yes, Dr. Field says that, I believe, but I think the general opinion is we have to protect the small and berried lobsters, no doubt about that.—A. Yes, I think that is the general opinion.

Q. Perhaps it has been neglected and the people have become careless about it, so that it will be hard to hark back, but something has to be done.—A. I think myself that something has to be done, but it will be a hardship perhaps for two or three or four or five years.

Witness discharged.

MANASSES NICKERSON, canner, Clarke's Harbour, called and sworn:—

By the Commissioner:

Q. Would you just recite the nature of your connection with the industry, and when it began?—A. Well, in 1884, I was fishing for lobsters, I do not know but what I might have fished the year before that, I have forgotten, but in 1884 and 1885, I was catching them, and in 1886 I engaged with a canner and acted as his weigher and buyer; in '91, I began buying and exporting for myself, and in '97, I began canning.

Q. That was reversing the order?—A. I was still buying the live ones, but I began canning them and in 1905 I sold out my canning interest.

Q. Is your cannery still in operation?—A. The same cannery is now in operation by Mr. Neville.

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Q. In short, what is your view as to the present condition of the lobster fishery compared with the condition existing in '84 and '85 when you were fishing?—A. Well, the difference is that we used to catch more lobsters inside the ledges than we can catch now by going miles off shore.

Q. Has there been a very great increase in the number of boats and men and the amount of gear now compared with what it was then?—A. There has certainly been a very great increase. I should say there is about ten times as many men, there must be. I remember I had 116 names on my list of men fishing; the number of men has not increased so much as the quantity of gear that they handle.

Q. And they have larger and better boats?—A. Oh, yes, altogether different.

Q. Do they fish the same ground now that they did in the early days, or are they fishing farther off?—A. They may fish the same ground, some, but not very much; they go farther off.

Q. I suppose all the ground around here is favourable to the lobster industry?—A. I think it is.

Q. You have ledges and reefs and a rocky bottom?—A. Yes.

Q. In what season did you fish then?—A. I was trying to call to mind about what the season was; it seems to me that when I first went lobster fishing we never did any fishing until March. I do not remember that we fished in the fall of the year. We began in March at that time and then we began fishing in January; then they did away with the August fishing, which was supposed to be the month of shedding.

Q. And after the two years' fishing, '84 and '85?—A. I was clerking then for the canner.

Q. What was the practice then with regard to the purchase of the lobsters from the fishermen? Did the canner as far back as then take everything?—A. Not everything.

Q. The law was observed then?—A. No, the law was not observed; it could not have been.

Q. What was the limit in those days?—A. I think it was 8 or 9 inches. My instructions were not to take too small lobsters because they were not profitable.

Q. Then your recollection is that there were no attempts made by the officers in charge to enforce the regulations?—A. Yes, there was some effort, but there was a small staff of officers, and we could keep clear of them pretty well.

Q. Were the same number of canneries in existence then as there are now?—A. No, there were not so many; there was only one in existence at that time.

Q. Who was that being run by?—A. By John M. Shand for the Portland Packing Company.

Q. Were the American packers the pioneers of the industry in this part of the country?—A. No, you could not exactly call them pioneers, because there had been packing done before any Americans came here.

Q. There were Canadians packing before the Americans came?—A. On a very small scale and in a crude style. The modern packing commenced with American packers.

Q. Did you, during the time in which you were engaged purchasing lobsters, notice any decrease?—A. No.

Q. I suppose this decrease in the condition of the lobster fishery has been a gradual one?—A. We did not notice it then because our people would keep going farther off and they would get more lobsters.

Q. What did you pay for lobsters in those days? How were they bought? By count?—A. Well, yes, and we bought by weight as well as by count. I was buying mostly by weight, that is the small ones.

Q. Did you make any distinction then between export lobsters and canning lobsters?—A. No.

Q. Did the factory people export the large lobsters then?—A. No.

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Q. Then the fishermen, even as long ago as that, were exporting their own lobsters?—A. They were selling them to smacks.

Q. To the local markets or the United States?—A. To the smacks from the United States.

Q. Smacks that came and purchased the lobsters directly from the fishermen?—A. Yes.

Q. Their limit was 10½ inches?—A. Yes.

Q. And only lobsters under that size came to the packers?—A. That is all.

Q. Was there any attempt in those days to bring in berried lobsters to the cannery?—A. Well, at the time I am talking about we did not take berried lobsters if we knew of it, but we were not so very particular in the first few years.

Q. Is it to your knowledge that the practice existed then of brushing the eggs off?—A. Not very much to my knowledge personally, but still I believe it did exist among some people.

Q. The reason I ask is that it must have had a destructive effect on the fishery if it were carried on long?—A. I think it has been carried on to a limited extent in this locality.

Q. In recent years your season has ended so early that you would not see a very large percentage of berried lobsters?—A. Not very many.

Q. What would you say is the percentage of berried lobsters taken by the fishermen here?—A. I do not know, but it is very small.

Q. Our evidence shows that there are more taken at the end of the season?—A. Yes, you see lots of them at the end of the season; it would be a very small percentage; I would not like to say it would be more than 1 or 2.

Q. As between the two branches of the fishery which, in your estimation, is the more profitable one for the fishermen, and which one should be encouraged; that is to say, the live lobster export trade or the canning?—A. Certainly the export trade is the best one for the lobsters.

Q. It brings the largest return to the fisherman?—A. Oh, yes.

Q. And is the least destructive to the lobster fishery?—A. Yes.

Q. What is your view about this matter of a size limit? Do you think the present size limit of 9 inches is the right one and that it should be enforced?—A. That is a question I would not like to say much about; I do not know anything about it myself.

Q. But you must have some opinion? What effect would a strict enforcement of the regulations have on the cannery?—A. Well, at the present size it would, I think, practically put me out of business.

Q. How would it affect the fisherman if he were not allowed to take lobsters under 9 inches?—A. If they were not allowed to take lobsters under 9 inches it would affect some of them very materially, and some others it would not affect so much.

Q. Do you think the ultimate effect would be beneficial, that after a few years the fishery would certainly be benefited to some extent by the enforcement of the regulation? Do you not think it is ruining the fishery to take the immature lobsters?—A. I do not know what to say about that.

Q. If it is true, as we are assured it is by the scientists, that the lobster grows about 2 inches a year, do you not think it is a pity to destroy the immature ones?

Mr. MOSES NICKERSON.—I would like to ask the witness if he does not think that the best policy would be to enforce the 10½-inch limit and thus close up all the factories?—A. Probably that is the right thing to do, but I do not care to say anything about it.

Q. Have you any idea of the proportion of lobsters taken that are under the legal limit?—A. Well, I have an idea, but I do not know. The number is very large.

Q. Would you say 50 per cent is a fair estimate; that one-half of every hundred taken are of illegal size?—A. I think so; I think they are.

Q. What do you think of the present season from the 15th of December to the end of May?—A. That is another thing which is just like my expressing an idea as

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to the size limit. I kind of feel that, the way I am out of business, I should not say much about that.

Q. You must have formed an opinion about it?—A. Yes, I have an opinion.

Q. And being out of business your opinion might be free from prejudice?—A. I know that, but those who are more directly interested in it may think I have no right to express my opinion. My opinion is, I believe it would be better in general although there are some localities where it would probably be bad for them to make any change, but I think that 15 days taken off the last of the season and put on to the first would be beneficial.

Q. Can you tell me what reason there is for having different size limits and different seasons in the counties to the west of you here? Is there any necessity for it?—A. I do not see hardly where there is.

Q. Does not that sort of thing lead to breaches of the law?—A. I think so—going over the line you mean?

Q. Having different sized limits and close seasons in neighbouring sections?—A. It is a very fortunate thing for the persons living near the line.

Q. Are they not able to begin really as early as you do? I see some of them begin only on the 6th of January and they must to the west of you, have even a milder fall than you?—A. I do not see any reason why it should be any different with them.

Q. Then I understand afterwards you went into the canning?—A. Yes.

Q. And for some years you were engaged in the live export trade?—A. Yes.

Q. You purchased the live lobsters here from the fishermen?—A. Yes.

Q. And exported them to Boston?—A. And to New York.

Q. That is the 10½ inches to Boston and they sent the 9-inch to New York?—A. Well, we sent a great many of our large lobsters to New York.

Q. But you could send them down to 9 inches?—A. Yes.

Q. Had you the same facilities then that you have now for that trade?—A. Not quite as good.

Q. The same boats were running regularly to Boston in those days that there are now?—A. There was only one boat at that time.

Q. What is the practice with regard to those large lobsters? Are they held in cars, or are they packed and shipped every day?—A. The cannery used to hold them for a number of days and follow the market.

Q. How was the market for live lobsters then as compared with to-day? Were the prices as high as they are now?—A. The prices were lower and they fluctuated more than they do now. I think they are steadier now.

Q. Then you afterwards went into packing. What was your practice with regard to the purchase of lobsters for packing purposes?—A. When we first began we observed the law pretty well, and on several occasions we made a desperate effort to maintain the strict letter of the law, but we found that in every case we were simply losing our fishermen; they sold the fish to somebody else, and in some cases we did not get our fishermen back at all.

Q. And in self-defence you were obliged to do as the others did?—A. That is what we did.

Q. And did that continue all the time you were in that branch of the business?—A. Oh, yes, pretty well; we were fined a number of times.

Q. What did you do, as they did in Yarmouth, pay an annual fine?—A. No, we did not. We did not happen to get any very heavy fines; in some cases we paid \$5, I think, and in other cases we did not pay any.

Q. Could you give us any idea of the run of lobsters you did pack, how many did it take to fill a case or a pound can; have you any recollection of how they ran?—A. We did not use to keep any record. Well, back at the time I was clerking for Mr. Shand they used to run about a little less than five to the can, sometimes they would go a little over, but anyway from 4¾ to 5¼.

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Q. That is of green lobsters?—A. That is as they were weighed, it did not make much difference whether it was by weight or count, they used to average 100 pounds for 100 lobsters.

Q. And what were the fishermen paid for them at that time?—A. At that time they were paid 65 or 75 cents a hundred, and then a little later the price went up.

Q. Have you any idea of the present price?—A. I think at present they are worth about \$3 per hundredweight; last year and the year before they were worth \$5 to \$4.50.

Q. Could you give me any idea what it cost to put up a case of lobsters, what they are worth as they leave the factory?—A. We generally reckon on about \$2 for the expense of canning a case of lobsters.

Q. That is to say it costs that much to can it, but what did the meat, the tins, the package and the labour cost altogether, \$2 was for the labour?—A. I do not know, I would have to have a little time to figure that out, in some cases it would cost more than others.

Q. The prices have advanced greatly in the market for the canned article, have they not, during the past twenty years?—A. Yes, they have increased very much.

Q. What were the lobsters worth in the market when you first went into the canning business?—A. When I first served with Mr. Shand, lobsters were worth from \$4.50 to \$7 per case.

Q. And now they are worth?—A. At the present time they are worth somewhere from \$12 to \$14 a case; they went to \$18 last year which was the highest price they ever reached.

Q. Are the present penalties sufficient to deter packers from violating the law if they were enforced?—A. I think they are, if they were enforced.

Q. What do you think of the matter of giving aliens licenses to can? Professor Prince seems very urgent about that.—A. I do not see why one man should not have a license as well as another.

Q. Even if he is an alien?—A. Yes.

Q. It has been suggested that the only thing they bring in here that is alien is their capital, that they employ Canadian labour and buy their material in Canada?—A. Yes.

Q. Is the present regulation restricting the number of canning licenses satisfactory?—A. I do not think so.

Q. What would you advise?—A. I think I would allow any man to pack lobsters who thinks he can earn a dollar out of it.

Q. Without any further question, without assuring yourself it is going to be done properly?—A. Well, if his stock was no good when he tried to sell it he would be the loser, that is all.

Q. Do you think that an increase in the number of canneries would mean more fishing?—A. I do not think so.

Q. Do you think it would lead to more competition?—A. I do not think it is possible to have any more competition.

Q. Do you think there is any combine on the part of the packers to keep the price down?—A. My experience in that line is that although we attempted a number of times to keep prices down, so that we could make a dollar out of it, we never could hang together long enough to do any good; I think we made matters worse instead of better, that is we made it better for the fishermen.

Q. Then there always has been a certain amount of competition?—A. Oh, yes, no doubt about that.

Q. Would you favour an inspection of the product of the cannery by an official inspector?—A. Well, I think it would be all right—but still I do not know.

Q. The tendency nowadays is to inspect all food products?—A. Yes, I believe it would be all right, but I believe from what I know about it myself that the factories aim at packing their fish as well as they can, because the price depends upon it.

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Q. Would the present official staff be sufficient to make that inspection?—A. I do not think so.

Q. Would it require experts in the business?—A. Yes.

Q. What do you think of the policy of encouraging the fishermen to co-operate in canning; will they do better that way than they will by selling their lobsters to the canner?—A. I do not know what to say about that, the co-operative concerns, as far as I know about them, have never been very much of a success.

Q. I suppose it will depend upon their ability to manage and operate the canneries, the same as in any other business?—A. Yes.

Q. How is the price paid for lobsters established?—A. Well, the quantity regulates the demand and the demand regulates the prices.

Q. And the export trade is governed by the price abroad?—A. It is governed by the foreign market, yes.

Q. And the price for canning lobsters is fixed pretty much by the packer?—A. That is also governed by the foreign market.

By Mr. Moses Nickerson:

Q. I would like to ask the witness if the case is not a little different from what he has stated out on Tusket Island where the fisherman rents his stand from the so-called proprietor and one of the conditions is that the fisherman is warned from the island unless he obtains the right to land there and carry on his fishing, and unless he agrees, either by verbal or written contract that he will always turn over these small illegal lobsters to the proprietor at a certain price, and if any other smack comes in and tempts that fisherman to sell them for a few cents more, then as sole proprietor, he orders the fisherman to get off his island?—A. That is right, in a way.

Mr. ARNOLD NEWELL.—On Flat island they turned one man off this year.

Q. Is not that the case, that the proprietor regulates the price in that neighbourhood for the fishermen belonging there?—A. Yes, but I do not think it generally amounts to much.

By the Commissioner:

Q. Has the question of the ownership of some of those islands ever been settled?—A. Only with respect to one island, but the others have never been settled.

Q. How far does your ownership extend? To the high water mark?—A. Yes.

Q. And is it not possible for the fishermen to establish themselves between the high water mark and the foreshore?—A. It does not seem to be.

Q. We have that trouble on the Labrador, and we allow them to set their traps and nets so long as they do not go on the shore line above the high water mark, because if they did that would be trespass. We have never recognized the private owner's rights below high water mark. Have you any remarks to offer about the establishment of hatcheries? I suppose it would be difficult to establish hatcheries down here, would it not, owing to the fact that your season ends when it does?—A. It would be quite difficult.

Q. Or pounds either? The suggestion has been made to us along this shore that the fishermen ought to be able to retain their lobsters caught during the legal season in pounds, to be sold after the close of the season. What do you think about that?—A. Well, I think there should be some provision on that line. I certainly think it is very wrong to force a man to sell his goods on a certain date.

Q. Do you think the matter could be safe-guarded so that it would not lead to violations of the law?—A. I believe it could be governed. I do not see why it could not be.

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Q. What do you think about this matter of the traps? Do you think it would be wise to establish a regulation—it has been suggested that the taking of the small lobsters should be regulated by having a trap so constructed that while retaining the large lobsters it would permit the small ones to escape, and the question is what kind of trap is best adapted for that purpose—providing that there should be a certain opening between the slats in the trap?—A. Well, that would let a lot of them go out, there is no doubt about that, if the opening were large enough.

Q. Would a fair proportion of the small fish escape, do you think, through a $1\frac{1}{4}$ -inch opening?—A. I am afraid $1\frac{1}{4}$ inch would let out the large ones; the old style of making the trap was to allow 1 inch between the slats. You could enforce that regulation by having the fishermen's traps inspected. But when we were making traps—I used to make them—we allowed the width of the lath between the slats; the lath was the gauge.

Q. That lath was generally $1\frac{1}{2}$ inch; it was oftener $1\frac{1}{2}$ than 1 inch?—A. They may have been more than 1 inch, probably $1\frac{1}{4}$ inch would be right. I think they put the laths closer together now than they used to.

Q. And that can only be for one purpose?—A. Yes, that is so, no doubt.

Q. Is there much gear left in the water at the close of the season? I suppose where the fisherman owns his own gear he is careful about that?—A. Well, I think there is quite a bit of it left.

Q. We have had quite a lot of complaint about the quantity of gear abandoned in the water when the season closes?—A. I do not think they leave gear that would be of much service to them in the water, but very often when they have gear that is not going to be of much use next year they cut the traps away, sever the lines, and allow them to go to the bottom.

Q. Do you think that has a detrimental effect in any way?—A. I do not think it has. They might kill a few lobsters, but not many. I should think in the case of the fishermen who use packers' gear that could easily be gotten over by charging the fishermen who wilfully neglect to bring in the gear for so much of it as they do not return.

Q. Is it within your experience that a larger quantity of lobsters are required to fill a one-pound can in the fall than in the months of May and June?—A. I think so.

Q. They are not so full of meat in the fall?—A. No.

Q. But it is supposed they are getting fuller as the fall advances?—A. Well, I have almost forgotten just about the condition of the lobsters for canning that way, so I would hardly like to say.

Q. It is not particularly here I was wanting to find out about, but the general experience.

Mr. NEWELL.—They tell me that the lobsters early in the fall are not so full, but in April and May they are better meated than they are in the fall.

Q. Is the fishery prosecuted at all in the fall between the 15th of December and the 15th of March?—A. Oh, yes.

Q. It is kept up here steadily the whole winter?—A. Well, that is according to the winter; if it is a severe winter February is generally pretty well closed up, but at the last of January I have seen pretty good work being done.

Q. Then it is not the practice to bring the gear ashore; the gear remains out?—A. Yes.

Q. A little to the eastward of here they say they generally bring the gear ashore and put it out again later?—A. They do not bring very much of it ashore here that way.

Q. How are traps baited here?—A. Of late years mostly with herring.

Q. Is the herring caught here on the spot? Do you catch the bait here generally?—A. Not generally.

Q. Do you import it?—A. Yes, from the north shore of New Brunswick.

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Q. Have you any further remarks to make or are there any suggestions you would like to offer?—A. No.

Witness retired.

Commission adjourned.

DOG FISH REDUCTION WORKS, Clarke's Harbour.
September 13, 1909. (2 p.m.)

Captain JOB A. CROWELL, fisherman and smackman, Clarke's Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been connected with the lobster industry?—A. Between 40 and 50 years.

Q. Have you been fishing steadily from this place, or have you been fishing steadily all that time?—A. Not fishing all that time, but carrying on the fishing business and running lobster smacks.

Q. You have actually fished lobsters yourself?—A. Oh, yes.

Q. You first began fishing lobsters how long ago?—A. 45 years ago.

Q. Were there any canneries in existence at that time?—A. Yes.

Q. They were in existence then?—A. The biggest one was established here about 37 to 40 years ago.

Q. Who was it owned by?—A. The Portland Packing Company.

Q. How long did they operate here?—A. I think 15 years or thereabouts.

Q. How came it that they abandoned it?—A. They started other factories on the eastern coast and away down in Newfoundland and along there.

Q. And they gave up here?—A. Yes, they gave it up here because the lobsters were much cheaper down there than they were here.

Q. What is the condition of the lobster fishery to-day as compared with what it was when you first remember it?—A. Oh, well, the lobsters are not so plentiful inshore as they were then, there are as many lobsters taken, but they have to fish very much more gear.

Q. How does the amount of gear and the number of people engaged in the fishery compare with what it was then?—A. I do not know, but they fished as many lobsters then as now, but there are no doubt twice as many people engaged in the fishery—well I would hardly say twice as many, but probably one-third more.

Q. And how about the gear?—A. I suppose there is as much again gear run now as there was at that time.

Q. Is the fishery conducted on the same ground?—A. On the same ground, but they are shifting farther off shore; of course there will be some on the same ground, but the majority of them are farther out.

Q. In those days on what ground did you fish?—A. We fished in and around the Islands, we did not go outside at all 30 or 40 years ago; they used to go down around the cape close in shore, but not away off 2 or 3 miles off.

Q. But the fishery was kept close in shore?—A. Yes.

Q. And now?—A. We fish them 4 or 5 miles from the land.

Q. Is there any fishing beyond that?—A. Yes, just as far as you want to go you will find lobsters off there.

Q. In what depth of water do the fish here? What is the outside depth?—A. Away out, about 18 fathoms, I guess, here; west of Seal Island that way they go off 30 fathoms.

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Q. How far off shore would they be in 30 fathoms?—A. They would not be any farther off shore there than we would be here.

Q. During those early days there were no regulations at all, when did you begin?—A. We began in April and fished right up to August it seems to me.

Q. I thought you generally fished up to October?—A. There was a little close season in August, I guess.

Q. But in the beginning they used to fish all the season, whenever they could. I think?—A. Yes, of course they did, you are right, I had forgotten.

Q. What proportion of small lobsters did you catch in those early days?—A. I do not know but you got as many as you do now.

Q. What was done with them then?—A. The canner took the whole business then.

Q. Even then the custom was to take everything that was caught?—A. As far as I know.

Q. Did the market fishery amount to much then?—A. The market lobster, do you mean?

Q. Yes?—A. No, there was nothing shipped abroad at all; I think the 2 or 3 last seasons there were lobster smacks from the United States came up here and the fishermen then commenced to sell the large lobsters from 10½ inches up.

Q. Was that the first live export trade?—A. I think that the first export trade in live lobsters that was ever done here was when I carried over 4 barrels of lobsters and sold them in Boston. Those were the first live lobsters ever shipped from here that I know of, and that was about 37 years ago.

Q. What means of conveyance to Boston had you in those days?—A. Nothing but schooners.

Q. The steamers were not running then?—A. There was only one small steamer from Yarmouth, but she did not amount to much; all the traffic was in schooners.

Q. Has the traffic increased from that date to this?—A. Yes, it has.

Q. How large a proportion of the total catch is the trade in fresh lobsters? What portion of the fishermen's total catch and earnings would it be?—A. I should think two-thirds.

Q. That is in the fresh lobsters over 9 inches?—A. Yes, I do not know but that it is more than two-thirds, it is quite two-thirds anyway.

Q. Is that trade increasing?—A. The price is increasing, we are getting better value for our goods every year.

Q. Your market trade is better and the conveniences for shipping them are better?—A. Yes, everything is better.

Q. You think that the natural tendency of the business is to increase?—A. It has been increasing right along.

Q. And as the facilities for it increase and they are able to reach the market in better condition the larger the price they will get for their lobsters?—A. That is what they are trying for all the time.

Q. Has the canning industry decreased or increased of recent years?—A. It has decreased this year, but last year it was a pretty fair year.

Q. What do they pack? Do they pack everything that is not shipped abroad?—A. They pack everything they can get, I guess.

Q. I suppose there is always a certain proportion of large lobsters that comes in the class of doubtful and defective?—A. Anything that they see will not carry to Boston they sell to the canner.

Q. So that the canner is practically dependent on the small lobster?—A. Well the cannery have got, up until last year, all that were under 10½ inches here; we could not ship anything to the United States under 10½ inches until last year, we could ship to New York, but we could not to Massachusetts, we could not to Boston.

Q. But two years ago they reduced the limit in Massachusetts to 9 inches?—A. Yes.

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Q. And as a result there is a still smaller proportion going to the canner?—A. Yes.

Q. If the regulations were altered or re-framed in any way do you think it would be fair to encourage the export trade even at the expense of the canner?—A. I do not know, I could not say as to that.

Q. In framing the regulations for this section of the coast?—A. Oh, I think it should be most encouraging for the export trade, sure.

Q. That is if it were necessary to make any distinction between the two branches?—A. Yes.

Q. The canning here is taking a second place there is no doubt?—A. It is taking second place.

Q. Do you catch as many large lobsters on the whole, taking into consideration the increased amount of gear, as you did in the early years?—A. I think so.

Q. They still keep up?—A. Yes, it still keeps up; some years we have a great deal better fishing than others in those places where we used to fish; of course when we have to go outside in rough seasons we do not get as many, but with a smooth season we get more.

Q. Your fishing commences here on the 15th of December?—A. Yes.

Q. What class of lobsters do you get in that fishery? How will they run when you first begin in December?—A. About the same as all through the season.

Q. There is not a larger proportion of small lobsters then?—A. Take in the harbour, inside, you will catch more large ones when you first start in than you will later on, more than you do in two or three months' fishing.

Q. I suppose the conditions for lobsters here, in the shape of bottom, are good?—A. Oh, yes, they are, and I guess they are all along the coast.

Q. You begin fishing in the middle of December, and it is actively prosecuted then, I suppose?—A. Yes.

Q. Up till when?—A. Until the last day of May.

Q. Is it prosecuted with equal energy all through the winter?—A. February is the worst month we have here.

Q. But with the exception of February you fish steadily?—A. Well, sometimes we fish right through February unless we are bothered a little with ice.

Q. Is the percentage of loss of traps very great here?—A. Yes, it is.

Q. Especially in shoal water?—A. Especially in shoal water.

Q. At what period of the year would you expect to lose the most gear?—A. Some years are off seasons, of course, but it is hard to say; we lost most this year in May, more than we lost in the whole year, that only happened this year, that has not occurred for the last ten years, but when it comes to these awful gales of wind they just take away a man's gear.

Q. What would you say is the life of a trap?—A. Well, three years is the longest here unless when you are fishing inside where, of course, it will last longer, outside two years will pretty well use them up.

Q. Is there any difference in the trap now compared with what it was when you first began?—A. Yes, we use a stronger trap now than when we began.

Q. And you use also a Wheeler trap?—A. No, we do not call them the Wheeler trap.

Q. What do you call them?—A. We have what we call the four bow trap, and we have one that we call the bedroom trap, with one bow at the end and another at each side.

Q. It is not the Wheeler trap, but on the same principle?—We call it the bedroom trap, and when the lobsters get in they cannot get out.

Q. Are they putting the slats closer together than when you began fishing?—A. I think they are.

Q. Do the fishermen own their own gear and boats?—A. Yes.

Q. The canners do not furnish them with an outfit?—A. Well, the fishermen buy it, they may get advances sometimes from the merchants and others.

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Q. What would be the effect here on the fishermen, in the first place, if the 9-inch limit were strictly enforced?—A. I think, myself it would be a great benefit to the people here; I am speaking now of this place here; that is what I voted for first, and I vote for the same thing to-day; I think it will be a benefit to the community altogether, in the first year they may feel it a little, but after the second year they would have the benefit.

Q. How would it affect the canner?—A. I do not know but that it would affect them a little bit the first year; of course these cannery here are all shippers, too, they buy all the lobsters, they get all the lobsters anyway, the most of them, and what they do not ship they can, but I think it would be a benefit to them too in the long run.

Q. What do you think of the present season from the 15th of December until the end of May?—A. I think we ought to have 15 days added to it when first starting.

Q. You think it should commence on the 1st of December?—A. The 1st of December.

Q. Can you tell me how far east that would hold good?—A. To Halifax, from Halifax to Digby, anyway.

Q. How about Charlotte County and Annapolis, and Yarmouth?—A. Yarmouth is all right to come in with that, but I think Digby should come in.

Q. How about Annapolis?—A. I do not know about that.

Q. Is there much lobster fishing in the Bay of Fundy, does it amount to a great deal?—A. Not in the winter time.

Q. What would you say about New Brunswick?—A. I do not know about that.

Q. Would that apply there, too?—A. I do not know anything about it and I would not like to say anything about it.

Q. If you added anything on in December would you take anything off in May?—A. No, I do not think so, because May is our best month here around the Cape.

Q. If the season remained the same length as it is now, whatever the number of days from the 15th of December to the end of May, do you not think that an equal number to that added at the beginning when the fresh markets are supposed to be good?—A. Oh, it is good then.

Q. Do you not think some compensation should be offered to the lobsters by taking an equal number of days off the end of May? Are there not other fisheries that the fishermen could go to at that time?—A. Yes, but the month of May is the best month in the lobster season.

Q. In that case it would be better to leave it as it is then?—A. Unless you can add 15 days at the beginning.

Q. Could you give me any idea of the average price paid for lobsters of recent years for market purposes?—A. The average here would run probably about 15 or 16 cents, that is for large lobsters.

Q. For the 10½ inch?—A. Yes.

Q. And for the mediums, between 9 and 10½?—A. They pay all the way for mediums—on the average probably 4½ or 5 cents.

Q. And about what price for canning?—A. For the canning lobsters, from 9 inches down, they pay about 1½ cents.

Q. That is by count, it is all by count here, is it not?—All by count.

Q. That is only \$1.50 per hundred?—A. That is all.

Q. Has the price ever been higher than that?—A. Well, 2 cents is the best I guess they had.

Q. Two cents is the best they ever paid here for the small run of lobsters?—A. Yes.

Q. How many lobsters of that class does it take to make 100 pounds in weight?—A. Under 9 inches?

Q. Yes?—A. It will take about 120, I should think, I have seen them weighed often enough but I do not remember just what it would take.

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Q. They take them down to what? Four or five inches?—A. Just as small as they can get them, yes, I think it will take 175 all right to make 100 pounds.

Q. What has been the practice with regard to the berried lobster?—A. They throw them away, I guess.

Q. There is a better disposition in that respect than there used to be on the part of the fishermen?—A. I think there is as far as I know, I know if I got one I would throw it away.

Q. Has it ever been the practice here to brush the berries off?—A. Oh, I think it is likely, I would not say but what some do it even yet. The lobsters are worth 25 or 30 cents apiece, and when a fellow gets them in the winter time with only a few seeds on them he will probably brush them off.

Q. Is it not a fact that in that case the berried lobster would not reach the market alive?—A. I guess they reach there alive all right.

Q. We have been told that a lobster that has been brushed is very apt to die in transit?—A. I was talking with one of the packers over in Boston, and he says that they often get them, they will come through all right if the weather is cold and they are kept damp, but they are not as good a sample of lobster.

Q. Have you any idea of the date of the spawning of the lobster?—A. No, I do not know, but I think they have spawn on them the whole year round, that is according to what I have seen.

Q. Is the percentage of egg-bearing lobsters large, what would you say it runs up to?—A. I do not think it is very large.

Q. Have the canners ever objected to accepting berried or undersized lobsters?—A. I do not think they have, I never washed one.

Q. If the canners refused to accept berried or undersized lobsters would it not have the effect of inducing the fishermen to return them to the water?—A. Oh, yes, of course they would if they could not find a market for them. With regard to the undersized lobsters, at one time when this law was first enacted, we started out to drop them overboard as soon as we took them out of the trap; I will not say we started to measure every one, but we would let them all go as far as we knew, and if we found when we got in, that we had any small ones among the lot we would at once put them overboard.

Q. Is it the practice to avoid the canner who is known to be careful on that point and to go to another who is less scrupulous? Some canners have told us that they had to do it in order to keep their fishermen?—A. I do not think there is anything in that, I never found it so myself.

Q. Do you think it would be possible to make any arrangement with the fishermen by which we could purchase from them the berried lobsters and hold them in a pound until the close of the season?—A. Yes, I think we could do that with any fisherman.

Q. Do conditions exist here for the establishment of pounds, deep water, a free run of the tide, and the means of fencing it in?—A. I think probably there are many places that could be found here, I am sure you could find them.

Q. Would you say there is any period in the season when the berried lobsters are more numerous than they are at any other time?—A. I think you get most in the spring of the year, about the month of April. I think they are as plentiful around here then as they are at any other time, and in the first part of May.

Q. Do you think they come in towards the shore then?—A. Yes, in the month of May they crawl into the shore, that is why I say it is the best month with us here; they crawl right into the rocks, and when we knock off fishing at the end of May they are as plentiful as they are at any time of the season, that is, the large ones.

Q. Do you think that an increase in the number of canneries would mean an increase in the fishing?—A. No, I do not think there would be any increase in the fishing.

Q. You think there is as much lobster fishing done now as there would be if the number of canneries were increased?—A. Yes, I think so.

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Q. Do you think the policy of the department in keeping down the number of canneries is a good one? Do you think there are canneries enough?—A. There are canneries enough as they are, but I do not think they are altogether right, because they cut the fishermen who get the lobsters from the privilege of canning them if they want to. If 20 or 30 fishermen gather together they should be allowed to can their own lobsters and make all that there is in it, but they cannot do that now.

Q. They can do that for the last two years, and we have one co-operative cannery operating at Little Harbour. The department decided when the fishermen complained they could not get a license and were not satisfied with the price they received from the canner, they claimed there was a combine between the canners—

A. Yes, that is the case, every time they have met before the season opened, and they set a price on the lobsters which the fishermen either have to take or throw their lobsters away, and if they are not allowed to put up a cannery they have to sell them at the canner's price.

Q. The fishermen made that complaint to the department, and two years ago the department decided to issue, and these are the only new licenses that are issued, what they call co-operative licenses. Fifteen fishermen are required to club together, and if they apply for it the license is granted to them under those conditions?—A. I would say it would meet the difficulty; I should think it ought to anyway.

Q. How would it affect the fishermen if the canneries were closed down altogether for a term of years, not only here but everywhere?—A. I do not know, I think it would be a benefit to the fishery generally. I do not think it would hurt those people but very little, and after the first year the people would, I think, get all the benefit of it.

Q. How are the lobsters collected here? Are they all collected on the fishing ground by smacks?—A. No, they are all brought in by the fishermen, right in shore.

Q. The fishermen bring them in themselves?—A. No, they bring them into the harbour here and when they export them they do so in steamers or schooners, but they bring them all into the harbour and every fisherman divides his own lobsters, what they call 'culls' them and he sells them, if he is going to sell them to the canner, or if he is going to ship them he puts them into shipping crates.

Q. That system of smacking them to the factory does not exist here?—A. No, not here, but they have smacks here that go away off from here and collect them from a distance.

Q. And in that case the fisherman is paid on the nail for the lobsters as the smackman receives them?—A. Yes, they get the cash, but some let their account run along until the close of the season and settle it up then.

Q. Do you think that different size limits and different open seasons in adjoining sections of the shore are likely to encourage violations of the law? From here going west you see we have different size limits and different fishing seasons?—A. Well, from Cape Sambro to Digby County we all have the one season.

Q. But there are parts of Digby county where they have a different season, do they not?—A. Yes, in some parts of Digby county they fish differently to what we do.

Q. Do they begin at the same time as you do?—A. No, I think they come a little later than ourselves, some fifteen days later.

Q. The season is: St. John county, January 6th to June 29th, size limit 9 inches; Bay of Fundy, bordering Kings and Annapolis counties, June 15th to June 30th, size limit 10½ inches; Charlotte County, N.B., and Digby County, N.S., January 6th to June 15th, size 9 inches, except in Bay of Fundy portion of Digby county; there it is 10½ inches; Yarmouth county, inclusive, around Atlantic coast to Halifax harbour, December 15th to May 31st, 9 inches?—A. Yes, that is ours.

Q. Have you any idea why that distinction is made in Digby county? Can they not begin at the same time as you do?—A. I do not think there is any reason why they cannot.

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Q. And if they do they should knock off at the same time as you do?—A. They should, certainly; I think the season in Digby county should be the same as ours.

Q. You think that the same season should exist as far as Halifax?—A. Yes.

Q. North of that the conditions are different, they cannot fish in the winter there?—A. No, they cannot fish there in the winter, that is right.

Q. Do you think there would be anything in insisting on a standard of trap, that there should be a standard space between the slats so that a large proportion of the small lobsters would be allowed to escape?—A. Oh, I think so.

Q. Of course what I want to get your evidence about is not solely with reference to this immediate neighbourhood, but take in the Gulf of St. Lawrence the traps I remember, when I first had any connection with these things about 32 years ago, were the old fashioned traps with the double head and a hoop in the end; the slats then were generally $1\frac{1}{2}$ inches apart, the width of a lath, but they have now in many places in the Gulf, especially around Prince Edward Island and the Straits of Northumberland, narrowed that space down until there is only half an inch.—A. I think they have done that around the western shore, they have been putting them closer together with the view of holding the small lobster under 9 inches, in order to keep them from getting away.

Q. It would almost follow that if the space were left larger the smaller lobsters would get out?—A. Oh yes, lots of them.

Q. There is a question now in the Gulf Division where they are too far removed from the market fishery, canning must always be the principal industry there.—A. No doubt.

Q. It has been proposed there, and I think there is some show of reason in it, that we should do away with the size limit altogether, and in return for that shut them down to a very short fishing season?—A. Yes.

Q. A good many, both cannery and fishermen, have told us there that if they could get two months, May and June, they are willing to close up, and would be satisfied. But if we did away with the size limit and shortened the season down to two months it has been suggested that we establish a standard of trap which would allow a fair proportion of small lobsters to escape. That is a matter of experience as to what size that opening should be and the Department would have to be guided by the experience of those who can speak independently on that question. You see you fish a long season here and you have the opportunity of sending your fish alive to market, so that we can very fairly insist on a size limit of 9 inches and try to enforce it, but there may be trouble in doing so.—A. Oh, no trouble to do that.

Q. You think not?—A. If the men say so there will be no trouble at all, but if you are going to make a law which will allow one man to do it and not another it would be a different thing, but if you are going to set in right now and be prepared to stop it, that is all we want.

Q. You recognize the conditions in the Gulf of St. Lawrence?—A. Yes.

Q. They are canning very small fish there, it takes 12 or 14 to the pound tin?—A. I know, I have been there.

Q. You could not enforce a size limit of 9 inches there?—A. No, I do not think so, but we are differently situated here.

Q. The suggestion of a good many intelligent people is to do away with the size limit and in order to compensate for that to insist on a standard trap and the shortening of the season?—A. Well, I do not think that would do altogether here.

Q. Oh no, I am not alluding to here, it is impossible here, and we could not dream of such a thing here; but do you think that by insisting on say a $1\frac{1}{4}$ inch space on all traps made after a certain date, we suppose the life of a trap to be 3 years, in 3 years the fisherman has to renew his whole outfit I understand, and it would be fair to insist that all traps after a certain date are to have a certain width between the slats which would allow a large proportion of the small lobsters to escape. Do you think it would

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do that?—A. Yes, I think it would. If the department did not enforce that regulation better than the existing one then I would say, throw them overboard. If you have a law enforce it.

Q Have you ever been connected with canning, or operated a cannery?—A. No, I have no knowledge of canning. I would like to say that I have held lobsters until after they have shed, and I have found that a $7\frac{1}{2}$ inch lobster after it has shed its shell would go 9 inches, so that they grow from $1\frac{1}{2}$ to 2 inches in the shedding. Now that lobster at $7\frac{1}{2}$ inches would be sold for $1\frac{1}{2}$ cents, whereas if it had reached its growth in a single year it would have sold at from 5 to 10 cents, according to the market. When we haul our traps, five or six miles away, in busy times, we put these lobsters in our boat, and we cull them as we are coming in; sometimes we are in the harbour before we put them all overboard. Now if those lobsters under 9 inches were put overboard instead of being brought into the factory, in a year they will be market lobsters and they will be found inshore in the waters where we put them overboard.

Witness discharged.

STEPHEN M. GOODWIN, fisherman, Clarke's Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been engaged lobster fishing?—A. I have been engaged at it 24 years.

Q. Have you fished pretty steadily all that time?—A. Right along, I have been two or three summers at the Banks.

Q. And you have not been at the lobster fishing continuously?—A. I went lobster fishing 24 years ago, then I went 3 years on the Banks, and then 20 years steady at the lobster fishery.

Q. How is the fishery, put it in your own words, compared with what it was when you first began fishing lobsters?—A. The fish are scarcer, I think myself.

Q. In what way, how would you describe it, do you catch as many big lobsters as you used to?—A. We do not begin to catch as many big ones, we catch the same number of small ones, but we do not catch as great a weight; there is a great deal more gear in the water than when I first commenced; we have from 150 to 200 traps to one boat, two men, in a dory, that makes one boat the same as two.

Q. How are these traps fished, on trawl lines or single lines?—A. All single lines now.

Q. When do you begin fishing lobsters?—A. On the 15th of December, and we knock off the end of May.

Q. Do you fish pretty steadily all that time for lobsters?—A. No, we knock off in February.

Q. Do you leave your gear out?—A. We leave it out, yes, sometimes we lose some of it.

Q. Do you lose much gear during the season?—A. Yes, quite a lot.

Q. What proportion of your gear have you to renew every year?—A. Well, myself I lose about 100 traps; every year from 80 to 100 for the last three or four years.

Q. Some years you escape and some years you do not?—A. This last year I lost not less than 80 traps.

Q. You have to renew pretty nearly one-half of your gear every year?—A. Pretty nearly that.

Q. What is a lobster trap worth with all the gear and line?—A. On an average, I expect, 75 cents.

Q. Do you make your own traps generally?—A. We make our own traps.

Q. What is the value of a lobster boat?—A. It varies according to the boat, some are worth \$300, while a dory would cost \$20; I fish from a dory.

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Q. You fish from the outer island, do you?—A. Yes.

Q. You own your own boat and gear?—A. Yes.

Q. Is there any fisherman's union here?—A. Well, there was one, but I guess it has gone down—it is in existence yet.

Q. Is there any one around here who is a member of it?—A. Yes, the engineer at the works here is, I think, the head man of it.

Q. Has the number of men who are fishing lobsters increased greatly during the last few years?—A. I think they have.

Q. During the last ten years?—A. I would not say they have within ten years, but within twenty years, since I first commenced at it.

Q. How much more gear are you fishing now than when you began?—A. 100 traps more.

Q. You have doubled your gear?—A. I have about doubled it from what I had the first two or three years.

Q. And did you have to do that in order to keep up the average of your catch?—A. Yes.

Q. What depth of water are you fishing in when you begin in December?—A. About 20 fathoms as a general thing.

Q. And you fish in that depth of water until when?—A. Until along in April.

Q. What do you do then?—A. We leave some of them in deep water and shift some into shoal water.

Q. And do you come into the shoal water in May? —A. As soon as it gets fine weather we get into as shoal water as we can, around the shore we get in three or four fathoms, but generally in seven fathoms.

Q. You have to keep out in order to save your traps?—A. Yes, we do.

Q. Do the fishermen around here use hoop nets?—A. No, nothing of that kind is used around here.

Q. I suppose you catch like everyone else, a certain proportion of market lobsters; how much of your catch is fit for the live market trade, out of every hundred you get how many of them are over 9 inches?—A. In numbers there are about one-half, that is from 10½ inches up, you mean?

Q. I said from 9 inches, because 9 inches is the legal size with us?—A. Yes, over one-half.

Q. And the 9-inch are shipped abroad?—A. Yes.

Q. You have one-half of your catch above that?—A. Yes.

Q. Then one-half of the catch in number are under the 9-inch limit?—A. Yes, in number, but of course there will be more of the larger ones in weight.

Q. But you sell them by number; what do you get for your market lobsters?—A. We get two prices, we sell the small lobsters and the large ones, and there is about \$2 to \$3 difference.

Q. What is your practice?—A. We own our own crates and ship our own lobsters.

Q. Do you consign them to a commission merchant in Boston?—A. To commissioners and dealers both.

Q. You ship to both Boston and New York?—A. Yes.

Q. The medium ones you send to New York?—A. Yes.

Q. And the smaller ones you sell to the canner?—A. Yes.

Q. Does he send for them or do you deliver them?—A. He sends for them.

Q. Has he ever protested against taking the small lobsters, do you know, or is it his practice to take the small ones you give him?—A. I guess they take all they can get.

Q. Does he draw the line at all?—A. Oh, yes, I guess he draws the line somewhere.

Q. What is the lowest limit he will take?—A. I never got any that small.

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Q. Does he take them 4 or 5 inches?—A. I have never taken them that small, of course you may see a few in the traps sometimes around 3 or 4 inches.

Q. What would you say was the lowest limit?—A. I guess the lowest limit is likely 7 or 8 inches.

Q. If you found anything smaller than that you threw it overboard?—A. If they did not take them you would have to.

Q. That may carry a dozen meanings; do they take them at the full count, will they count every lobster as one?—A. They weigh them.

Q. Oh they weigh the small ones?—A. They weigh the small ones, yes.

Q. Can you give me any idea how many run to the hundred pounds by weight?—A. I guess it takes about 115 or something like that.

Q. Those are very good lobsters you know that will run 115 to a hundred pounds, that is not so bad.—A. Yes, they are pretty good lobsters; we weighed them and counted them and they ran 115 to the hundredweight.

Q. You must have counted a number of large lobsters that had been disabled?—A. No, they were not disabled.

Q. Do you think that 115 small lobsters would make a hundredweight?—A. Yes, I think they would.

Q. There would not be very many very small ones at that rate?—A. No, they are not small ones like I have seen them down around Cape Breton.

Q. Has there ever been any attempt, to your knowledge, to enforce the regulations with regard to the size limit?—A. To enforce it?

Q. You know what the law is, that you should begin fishing on the 15th of December and end on the 15th of May, that you must not take the berried lobsters or have them in your possession, or anything under 9 inches? Has there ever been any attempt to enforce that law?—A. Yes, they have dumped the lobsters.

Q. How would it affect the fishermen here if that law were strictly enforced and you were not allowed to take anything under 9 inches and if you were fined for everyone under that length when you came to shore?—A. It would affect us some, yes.

Q. To what extent would it cripple you?—A. A couple of hundred dollars in the season if we were cut off at 9 inches.

Q. Do you not understand that if that law were enforced it is after all for the general good?—A. I think so.

Q. Do you think the fishermen generally understand it? Is it your opinion we ought to enforce that law?—A. That is my opinion, after a year or two we would reap the benefit.

Q. But it would not put the fisherman entirely out of business to enforce it?—A. Oh, no.

Q. It would hurt him for a year or two?—A. Yes.

Q. How would it affect the canner, do you think?—A. I think it would hurt the canner.

Q. What is the practice here with regard to the berried lobster when you catch her?—A. I guess they are all dumped overboard from the boat here, I do not know of anybody here ever keeping them.

Q. Do you think the fishermen are beginning to learn that it is to their own advantage that the female lobster should be saved and protected?—A. I think so, and they do put them overboard.

Q. In your early days do you think they were washed or scraped off and brought in?—A. Some of them used to be.

Q. Do you think it is done at all now?—A. I could not tell you, I know what I do myself.

Q. Do you think the close season is strictly observed here, do you think there is any fishing done after the end of May?—A. I do not think there is any lobster fishing of any kind done after that date.

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Q. I suppose somebody may take a few lobsters for his own use?—A. Yes, just for a mess, but I think that is all right.

Q. There is no general attempt to break the law?—A. Only by the American boats coming over here.

Q. Yes, we have heard of them, they are fishing outside the 3 mile limit during the whole summer?—A. Yes, and they should be stopped, because they are getting the lobsters we ought to get.

Q. Then the most profitable part of your lobster fishery to you, is that part of it which you sell alive to the market?—A. Yes.

Q. Is that the case generally for all the fishermen? Do you think those who fish closer in shore, those that do not go so far out, are able to get as many large ones?—A. I think they perhaps make more money out of the small lobsters that are sold to the canner, that is where they fish inshore.

Q. Do you think that the berried lobsters are more numerous towards the close of the season than they are during the early part of the season?—A. Yes, where I fish we do not find many in the first part of the season, but the last of May we do have them.

Q. That is when they are coming inshore late in the season?—A. Yes, the lobsters are coming in shore late in the season.

Q. Do you think that an increase in the number of canneries, it does not apply so much to you here, where, after all, the canning is a secondary affair, would mean an increased catch of lobsters, or is everybody fishing lobsters now that is likely to go into it, and is the ground pretty well covered?—A. I guess the ground is pretty well covered in spots.

Q. You see the fishermen in some places where they have to sell to the canner, complain that the policy of the Department in restricting the number of canning licenses is not a fair one to them, they think that if they had more canneries there would be more competition and they would get a better price for their lobsters. They say that an increase in the number of canneries would not mean an increased amount of fishing, but that it would simply mean the fishermen would have more market for their lobsters, but that there would not be more lobsters caught.—A. There would not be the small ones caught if there were no canneries here.

Q. But where there must always be canneries, the fishermen in the Gulf cannot send their lobsters alive to market, you say the best of your fishing is in May or June, and in June it is impossible to ship lobsters alive to market from away up in the Gulf.—A. We can hardly ship them from here in June.

Q. The Department by keeping down the number of canning licenses has sought to keep down the fishing, but no limit has been put upon the amount of gear?—A. No.

Q. What I want to get at is the fact whether an increase in the number of canneries, supposing a license were given to every man who applies and shows he is able to put up his own cannery, and do the canning properly, would mean any more fishing?—A. No, I do not think it would mean any more fishing here.

Q. I am not alluding to here especially, but anywhere?—A. Or anywhere, I should think.

Q. You think that the fishermen would be divided up among more canneries?—A. The fisherman would have a better chance of getting a higher price for his small lobsters. Now there are only two or three to buy them, but if there were half a dozen there would be competition and we would stand a better chance to get higher prices; the more factories there were the better opportunity of getting improved prices, I should say.

Q. Do you think the fishermen would make more money if they were allowed to can for themselves?—A. Yes, I think they would, if they were allowed to can for themselves and understood canning.

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Q. And of course, if they had the capital to go into it. Have you any idea how much capital a fisherman would require to go into canning?—A. He could go into it on a small scale in the first instance.

Q. He need not have a cannery like Mr. Menier at Anticosti that is worth \$25,000?—A. No.

Q. Is there anything you think of that I have not asked you about, or is there anything anybody would like any question put to this witness? I forgot to ask you when is the best time of your fishing, when do you get the most fish?—A. About when we first start in lobstering, in April.

Q. And how is May?—A. It is pretty poor with us.

Q. Would you rather fish in the beginning of December and knock off the last half of May?—A. Yes, for my own part I would rather have the whole month of December and knock off a part of May.

Q. What other fishing do you do when not engaged in the lobster fishing?—A. Cod, mackerel and herring fishing; I have not done much at the herring fishery this year.

Q. I suppose the most of those who fish here are all regular deep sea fishermen?—A. Yes, all regular fishermen.

Q. There are no farmers coming here to fish lobsters and then go back to the farm afterwards?—A. No, that is not the case here.

Witness discharged.

Commission adjourned.

CLARKE'S HARBOUR, September 13, 1909 (8 p.m.).

WILLIAM T. ATKINSON, fisherman, West Head, called:—I was going to say that I would not care about giving any evidence under oath.

By the Commissioner:

Q. All the evidence is supposed to be under oath. What is your own idea as to the regulations, how do they suit here? You know what they are, you fish from the 15th of December to the end of May, do you not?—A. Yes.

Q. And you are supposed to put all berried lobsters back in the water?—A. Yes.

Q. And you are not supposed to take anything under 9 inches?—A. We are not supposed to.

Q. We know, of course, in practice everything that is caught is dealt with in some shape, that seems to be the evidence we have had so far?—A. I think the berried lobsters are put back in the ocean, according to law, that is what I actually believe, but so far as the other part of the regulation is concerned, I could not say because it would not be proper for me to do so, I would not be able to say how they are dealt with; of course the fishery overseer could tell you better about that. He is paid for doing that business and I would not be supposed to know as much about it as he does. But of course the fishermen, the way they are doing, is to make their own law to suit themselves as to what they do actually want.

Q. That is what we want to get at, what you think the law should be?—A. I think it should be just as the fishermen want it, that is that whenever they can make it they should fish from the 15th of December to the last of May.

Q. What do you think about the 9-inch limit, should it be enforced?—A. I do not see how it can be enforced any more. We are told that the fishermen should form

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their unions and make their own law, so as to save everything they want to, which seems to be the object of the union, and which perhaps really they do. I do not see what is going to be done outside of that. It would take two overseers to one fisherman to stop it that way, and of course I do not suppose the government would agree to do that.

Q. Well, do you think the fishery will stand the drain upon it very long?—A. No, I do not think it has declined greatly in the last 5 or 6 years.

Q. Do you not think something should be done to prevent it going too far?—A. I would not know how to get at it myself to answer that question even.

Q. Of course if you do not make any statement under oath we can hardly submit it to the Committee?—A. No, I did not come with that intention; I thought it was a general town meeting and I thought you gentlemen would be speaking on the subject; I was misinformed, that is why I came.

Q. We did not come for that purpose, we came here to hear the fishermen's views on the fishery. We are not here to make any speech, we have no opinion to offer even, nothing of that kind. I am not here to make any statement myself, but merely to take the evidence of the fishermen.—A. With regard to the close season, I think it is kept very strictly here. From the last of May to the 15th of December, I believe it is observed very, very strictly.

H. NELSON NEWELL, fisherman, Clarke's Harbour, called:—

By the Commissioner:

Q. We are trying to get some information in regard to the lobster fishery, and what may be for its betterment, but we are not able to get very much here; the fishermen do not apparently want to furnish their opinions and testimony on the matter; of course if they do not care to do so, they cannot complain if anything happens that does not satisfy them later on?—A. As far as my own opinion goes, I think that the present lobster law is good enough as it is if it were only enforced, but we haven't really any law now.

Q. You haven't any law?—A. No.

Q. And you have never had any?—A. I wrote to the Department sometime ago, I really forget how long it is, but I think it is three or four years ago, they have my communication at any rate before them at the present time, and in that I gave them my opinion.

Q. How long have you been lobster fishing?—A. I do not remember just the date I started in but it was a late date, not as early as some of them, but 12 or 15 years ago.

THOMAS P. NICKERSON, fisherman, West Head, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. I could not exactly tell you.

Q. About how long?—A. Something like 15 years, probably a little more.

Q. Always in this place?—A. Always about this coast, between here and Yarmouth.

Q. What other fishing do you do?—A. Cod fishing and net fishing sometimes.

Q. About what time do you begin your lobster fishing?—A. In years gone by we used to put out our traps about the 15th of December, but of late years we did not commence that time, we commenced before.

Q. How many years has that been?—A. Oh probably 3 or 4 years.

Q. What time do you begin?—A. Sometimes about the 10th or 11th of December, according to how the weather is, whether it is fine or not.

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Q. Has that been very generally done?—A. It has been quite a practice about this Island for the last ten years.

Q. How do you find fishing at that early part of December?—A. We do not haul our traps at that time, we only put them in the water.

Q. Then you do not commence fishing until the 15th of December?—A. We reckon that we commence when we put the traps in the water.

Q. But do you haul them before the 15th of December?—A. No, we do not usually haul them before that.

Q. Are the factories ready to take the fish at that time?—A. No, they do not, but we usually have a place in which to put the fish that we get before that date and keep them there until we find a market for them.

Q. What market do you find for them?—A. We find a ready market right here, and oftentimes we find it over in the United States.

Q. Do you ship your market lobsters yourself to the market?—A. I do sometimes, it is according to the catch, if I have anything worth while I ship it, and if I have not I sell it to the local dealers here.

Q. Is there very much difference in the return between selling locally or shipping it abroad?—A. Well, I generally send them abroad if I can.

Q. What difference in price do you receive when selling abroad from what you get when selling locally?—A. It varies considerably, almost every week, according to the demand.

Q. What would you say is the lowest price you get for market fish?—A. Is that abroad, do you mean?

Q. No, here, locally?—A. When they are down, somewhere about 7 cents.

Q. What is the best price you ever got locally?—A. The best price I ever got was 30 cents on the spot here.

Q. What led to that tremendous price here on that occasion?—A. Abroad or here?

Q. No, here?—A. Well, they received more for them abroad, I suppose.

Q. Fish happened to be up and you received the benefit?—A. Yes.

Q. As to this sale of lobsters abroad, what is the average return from them?—A. Somewhere about \$12 and \$14 and upwards.

Q. That is for the crate?—A. Yes.

Q. How much is there in a crate, it is usually supposed to be 140 pounds?—A. We do not put any more than the number in it, we put 115 or 120 in a crate according to the size of the lobsters. If the lobsters run medium size it runs more, and if they run larger, we do not put in as many, they fill up the crate quicker.

Q. Can you give any idea of the average return for export lobsters; does it vary in different seasons?—A. Yes.

Q. What is the best time for them?—A. Along in February and March.

Q. And how about December?—A. December does not give as good market returns as February does.

Q. The lobsters are scarcer then?—A. Yes, and the weather is rougher.

Q. You put your traps out early in December?—A. In December.

Q. And you fish right along up to when?—A. The first of June.

Q. Is there any slack time in the winter?—A. Yes, it sometimes slacks off, but the gear is in the water all the time.

Q. Do you meet with much loss of gear?—A. Yes, there is quite a loss of gear.

Q. What is the usual loss of gear, taking one season with another?—It is pretty heavy sometimes, I could not average it, I hardly know what to say; if the season runs quite smoothly we do not lose so much gear, but if it is rough we lose lots of it.

Q. Do you have to renew your gear every two or three years?—A. We have to renew it every year.

Q. That means you lose it all?—A. We have to renew part of it every year.

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Q. We were told in the Gulf that the life of a trap is only 3 years?—A. If the trap does not break up or go adrift on us it will last two or three years.

Q. Are the traps that remain in the water destroyed by the borer?—A. Yes, they are.

Q. The borer does attack the trap?—A. Yes, it does.

Q. Out of your total catch of lobsters, what percentage are sold as market lobsters?—A. I never figured it up to see what the percentage would be.

Q. What do you sell to the canner for canning purposes, and what to the market fishery?—A. I could not say as to that, I do not know what the average would be.

Q. Do you sell one-half your catch?—A. To the canner.

Q. Yes?—A. Oh, no, not a half, not more than one-quarter of it.

Q. Is that in number or in weight?—A. That is in weight.

Q. You do not sell more than one-quarter to the canner in weight?—A. No.

Q. Then three-fourths of your total catch in weight would be market fish?—A. I should think so.

Q. What would that amount to in number?—A. I do not know what it would amount to in number, I am sure.

Q. What I want to get at, you see, is the percentage of small fish, if it is possible to do so?—A. I understand you all right, but I could not very well tell you what the percentage would be; it is hard to make an estimate, I would like to come pretty nigh to it.

Q. Well, there is a considerable quantity of small fish?—A. Yes, there is.

Q. How would it affect you, as a fisherman, if the 9-inch limit were strictly enforced?—A. I do not know but what it would be all right for me.

Q. You might suffer a little for a time?—A. For the first season or two I might, but after the first two or three years I think we would be the gainers.

Q. I think there is no doubt about that. Now you think the 9-inch limit should be strictly enforced?—A. I think so.

Q. And you think it would be to the benefit of all concerned, ultimately?—A. Yes, I think it would benefit everyone engaged in lobster fishing.

Q. How do you think it would affect the cannery?—A. It would not suit them at all.

Q. It would not affect them so seriously, after all, if so large a percentage of your catch goes alive to the market?—A. No.

Q. Are the cannerys also purchasers of the market fish?—A. Yes, some of them are.

Q. And they export fish on their own account?—A. Yes.

Q. What number of traps do you fish, what is the average of a fisherman here?—A. I should think it would be about 150 or 175.

Q. That is for a two-man boat?—A. Two men in a boat.

Q. That is about the run, is it not?—A. Yes, that is about the average run, I should think.

Q. When you begin to fish in the fall, in what depth of water do you begin?—A. Anywhere from 8 fathoms up to 15 or 20.

Q. How far off shore would 20 fathoms take you?—A. It would carry you about three miles, I should think, in some places.

Q. That would be outside then?—A. Yes, the outside fishery would not be over 20 fathoms, I do not think.

Q. What sort of weather do you have in December, is it generally rough here?—A. Some years it is quite smooth, and in some years it is quite rough here.

Q. What sort of a month is January here?—A. January is, well it gets considerably frozen up here.

Q. Do you lose many days' fishing in December and January?—A. Out of the 15 days we have in December we do not lose very many days as a general rule, but in January some seasons it is quite open and in some other seasons it is not.

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Q. When the weather is worse in February and March is the fishing still good?—A. Sometimes there seems to be pretty good fishing.

Q. Do they trap then, are they lively and well and not loggy?—A. They are hardly as smart as they are in the spring, in April and May; they are not as smart at that time as they are later on when the water gets warmer, then they get smarter.

Q. How is the fishing towards the end of May?—A. We always have fairly good fishing to the end of May. This year at the end of the season I do not know but what it was the best I have seen for the last five years.

Q. You fish up to the end of May?—A. Yes.

Q. It was not slack before that, or do the fish come in runs?—A. Yes, the fish along in March begin to increase if the weather is fine, along about the 20th of March, and they hold up that way until some time in April; then they slack off some inshore, and offshore they begin to increase.

Q. Do you think the fish are coming in then from the deeper water?—A. They seem to be travelling along the bottom some way.

Q. They must be coming in again?—A. Oh, yes.

Q. Is there any part of the season when you get more small lobsters than you do at any other period?—A. I think when the weather is fine in December we get as many small lobsters as we do at any other time.

Q. When the weather gets fine in March and April do you move your traps farther in?—A. We move them offshore then; we get them farther away from the land. When we first commence fishing in the middle of December we do not go so terribly far off, and they seem scarcer along in the last of December and January, and we move offshore if the weather is fine.

Q. I suppose most of those engaged in the lobster fishery here are also deep sea fishermen?—A. They fish the year round, for some other fish after the lobsters.

Q. What is the most profitable fishery, apart from the lobster fishery?—A. Cod fishing.

Q. Can you give me any idea of the average earnings of a lobster fisherman? What is the fishery worth to him in an average year?—A. Oh, for the year it would be about \$600 or \$700 on the average.

Q. Is that to one man, he must bear the cost of his outfit and everything else out of that, that is the gross amount he would receive?—A. That would be the average of his gross earnings.

Q. Can you give me any idea as to the weight of fish that would represent?—A. I think probably the last of April or the first of May would be the best fishing that we have, from the middle of April to the middle of May. I fancy that is the period when we get the most fish.

Q. Do you use the same trap now as you did when you began fishing?—A. The same kind, there are some improvements on the old.

Q. And the improvements have been made with the idea of holding the fish, and making it more difficult for them to escape from the trap?—A. Yes.

Q. They do not catch any more fish in reality?—A. I do not think they do, but I think they hold them better. We think they do anyhow.

Q. That is the general impression. Is there any tendency here to narrow the distance between the slats, do you allow as much space now as you did when you began fishing?—A. No, I do not think we do.

Q. Do you make your own traps?—A. Yes.

Q. What space do you allow between the slats, how do you establish the gauge generally?—A. Between the slats would be about 1-inch, or 1½-inch, about an inch I should say, that would be about the average distance.

Q. Is that the same distance you always had?—A. About the same, we might have them a little closer together than we used to have them probably.

Q. What size mesh do you use in the net for the head?—A. About 2½ inches.

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Q. These traps are all fished on single lines?—A. We use all single lines.

Q. There are no trawls; you never fished on trawls here at all?—A. Not of late years, not within the last ten years.

Q. What is supposed to be the advantage of the single line fishing over trawls?—A. We think that the traps can be handled with a great deal more ease, and that there is quite an advantage in fishing them on single lines.

Q. Do you ever fish them more than once a day?—A. We could fish them the two tides, but we do not go both times to the same lot of gear. We have them out at different places so that we can make them at the different changes in the tide, you know. The length of the season, I think, is all right, but I think these fishery overseers are not of much benefit to us, I do not think they attend to their business as they ought to.

Q. You think they are not strict enough with you?—A. I do not think they do as they promised to do, in fact I know they do not, I need not say I do not think they do.

Q. What would you expect them to do?—A. I would expect them to do just what the overseers ought to do; that is what I expect an overseer to do with me, he should sue me if I do wrong just the same as he would some other person.

Q. I hope they do not discriminate, I hope they treat you all alike.—A. I do not know whether they do or not. I think I have seen the time when I haven't been used just the same as some person else, and probably, on the other hand, there have been times when the overseers have not used the others as they have used me.

Q. Has the number of traps and of gear generally in use increased a great deal since you began fishing?—A. Oh, a great deal. When I first commenced fishing, sixty traps were as many as I would want, and now, with another man, I want 160 or 175, and sometimes I have 200.

Q. Has the number of fishermen increased largely?—A. Along this shore that I am acquainted with, it has increased.

Q. And do you fish farther offshore than you did in the early days?—A. Oh, yes, when I commenced fishing we did not go any more than one-third as far as we go now, I know we did not.

Q. Is it your opinion that the supply of lobsters is kept up by fishing a greater amount of gear and by taking smaller lobsters than you used to when you first began fishing?—A. I think when we first commenced fishing lobsters probably they were not any more plentiful than they are now, but there are so many more after them in these days than there were then that it makes them scarcer, they are not scarcer, but there is less stock to each man.

Q. There is a great deal more gear used to catch the same quantity of lobsters?—A. Yes.

Q. Do you not think you are taking a smaller run of lobsters now than you used to?—A. Yes, I think we are.

Q. In the years when you began fishing you would not have brought ashore the small lobsters that you do now?—A. Because we could not sell them.

Q. Was the packer more particular then than he is now?—A. Yes, he was so; he was very, very much more particular when I first commenced to sell lobsters than he is now.

Q. He cannot afford to be so particular now?—A. I do not know whether they can afford to be so particular or not, but I know they are not; I think the fishery overseers are not as sharp as they should be.

Q. It has been proposed to make all fishermen overseers to a certain extent. Some people have proposed to the department that the lobster fisherman should be required to take out a form of license, he need not be required to pay anything for it, and on this license the regulations would be printed and the fisherman would be required to subscribe to a statement that he was going to obey those regulations. The

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idea was that if he were an officer himself he would not only observe the law, but would be more apt to inform on those who did not. Do you think any regulation of that kind would be of any effect in securing a better observance of the law?—A. I do not think it would be of very much use.

Q. At all events it is your opinion, you have stated that before, that the regulations are not enforced?—A. That is what I think.

Q. And that they never have been?—A. No, they never have been, sure.

Q. Yourself, you favour a strict enforcement of the law?—A. Yes.

Q. And the same season, from the 15th of December to the end of May, as you have at present?—A. That is good enough for me.

Q. That is good enough for you?—A. I feel satisfied with that anyway.

Q. What would you think about beginning on the first of December instead of the 15th, as it is now, and knocking off on the 15th of May, how would that appeal to you?—A. I think that would be all right, I think I would be satisfied with that all right enough.

Q. What has been the treatment of the egg-bearing lobster within your recollection?—A. Oh, well, I do not know.

Q. At present I believe that the fishermen pretty generally understand that if they want the lobster industry to continue they should protect the berried lobster?—A. That is so.

Q. Do you not think the fishermen are more careful about that now than they used to be?—A. I think so.

Q. Was there ever a time when the berried lobsters were brushed off and brought to the cannery here?—A. I never saw anybody bring them to the cannery myself.

Q. Have the canners refused to accept them?—A. Oh, yes, I think so; if they have been brought into the cannery the fishermen have brushed the seed off them before bringing them in, and the canner did not know it.

Q. Is any attempt made to send them to market?—A. I think so.

Q. It has been stated by some witnesses that the berried lobsters will not bear transport as well as the others?—A. I think they send them, but whether they get there all right or not I do not know.

Q. Do you know whether it is the case that a lobster which has had the seed brushed off is less likely to stand transport than the other?—A. I do not think the lobster will live very long if she has had the seed brushed off; she will not stand it as well after the seed has been brushed off.

Q. I want to ask you something about the licensing of canneries; it does not refer to here especially but to the case generally. The department has been keeping down the number of canning licenses with a view to keeping down the extent of the fishing. Do you think an increase in the number of canning licenses would mean much more fishing than there is at present?—A. I do not think so.

Q. Is the extent of the lobster fishing as great as it possibly could be? Is it a fact that everybody that can go into it is in it already?—A. I think they are.

Q. If the number of canneries were doubled here it would not mean any more fishing?—A. No, it would not mean any more fishing.

Q. It has been urged by many fishermen that it would simply mean a little more competition?—A. That is what it would mean, more competition.

Q. And the fisherman would have a better market for his canning lobsters, do you think?—A. Yes.

Q. You know there are some parts of the coast where they have no opportunity to send lobsters to market alive as you have here?—A. I know it.

Q. And there canning must always be the principal industry?—A. Yes, that is so.

Q. In such places there are complaints that the department is doing wrong in not increasing the number of licenses, that it does harm to the fishermen to restrict the number in that way; it is claimed that if there were more licenses issued there would be more competition among the packers, and the fishermen would get more for

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their lobsters. That is the point I wanted to get at when I asked you if an increase in the number of factories would necessarily mean an increase in the number fishing?—A. No, I think there are as many in it now as can get into it. I suppose as time goes on there are younger people coming into it and the old ones dropping out, but I think there are as many fishing now as there would be.

Q. Are the fishermen satisfied with the prices they get for their canning lobsters?—A. Not always, no, sir, they are not.

Q. Is it your opinion, or do you think there is any arrangement between the canners by which they restrict themselves to a general price?—A. I think so.

Q. You think there is a general understanding among them to that effect?—A. I think so.

Q. The fishermen have complained to the department about that, and as a way out of the difficulty what are called co-operative licenses have been issued to fishermen who were dissatisfied, and who combine to the number of 15 at least, to apply for a license to can on their own account. Do you think that is all the fishermen need for their protection in that respect, and does it give them another market for their fish apart from the ordinary canner?—A. I do not think it makes any difference how many canneries there are; I do not think the number of canneries would make much difference to the fishermen.

Q. Suppose the fishermen have no opportunities of sending their fish alive to the market, where the canneries are few, and they are dissatisfied with the price paid by the canners, and want to group themselves together, does it give them a chance to do better?—A. Oh, yes, it gives them a chance to can their own fish.

Q. Which branch of the lobster industry do you think the more remunerative to the fishermen and the best calculated to maintain the supply unimpaired, the canning or the live lobster trade?—A. Oh, the live lobster trade.

Q. Is there any fishing done here, as far as your knowledge goes, out of season?—A. No, I do not think there is very much done out of season.

Q. There is none done after the close of the season?—A. I do not think there is very much with us. I do not know what they may do abroad. Probably they may take two or three days at the first end of June, taking up their gear, but it would not be anything of any account.

Q. Do you think there is any reason why the size limit—it is 9 inches here—should be smaller in some districts than in others; should there be a universal rule?—A. I think if you make it a little smaller than 9 inches it would not do any harm. I do not think it would.

Q. Still, it is fixed at 9 inches, and you told me you thought it ought to be enforced?—A. I think so; if it is fixed at 9 inches I think it ought to be enforced, but if it is made a little smaller I do not think it would make very much difference.

Q. I think you have told us also that you thought the fishery was at its best in April and May rather than in December?—A. April and May, yes.

Q. Is the market generally as good in April and May for market lobsters as it is in December?—A. Yes, I think it is about the same.

Q. Is there anything I have forgotten to ask you about, or would you like to make any statement yourself?—A. I do not know there is anything else I want to speak about, unless we have this law enforced. I would like to see that.

Q. You would like to see the law enforced or have it wiped off altogether?—A. One or the other. I do not see that it is any use to pay these overseers for nothing. I do not see that we are getting any benefit from it.

Q. They have to have some officers to label the boxes and to make the returns generally?—A. When a man is put on to look after the small lobsters, and when you take the small lobsters into the factory he turns his back, why there might as well be no officer at all.

Q. Wherever we have been we have found that this same difficulty exists; that this law, particularly with regard to the size limit, is not enforced anywhere. There

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was originally an attempt made to enforce it, and that attempt was carried on more rigidly in some districts than in others, but when the fishery overseer found that his neighbour a few miles away was not enforcing the law he became more lax in his efforts, and that has got to be the case all around. Perhaps they do want a little livening up?—A. Yes, I think so. About three years ago a fishery overseer came where I was fishing. I had a few lobsters under the legal size; in fact, I hadn't hardly time to cull them out, but he didn't stop to see whether I had lawful lobsters or not, he cut the gear adrift.

Witness discharged.

Other fishermen present expressed their approval of the evidence that had been given.

WILLIAM T. ATKINSON, Clarke's Harbour.—I think it is a pretty fair statement.

ALFRED F. NEWELL.—Having heard the evidence given I endorse it. I am satisfied it is a fair statement of the conditions which exist here.

WILLIAM LEBLANC, fisherman, Clarke's Harbour.—I would sooner see the season a little earlier.

The COMMISSIONER.—You would sooner see it begin on the 1st of December and end when?

Mr. LEBLANC.—Commence on the 1st of December and end on the 15th of May: I do not fish over here.

The COMMISSIONER.—Where do you fish?

Mr. LEBLANC.—In the bay. I approve of the evidence except that I would suggest a little earlier beginning and a little earlier knocking off.

Commission adjourned.

YARMOUTH, September 14, 1909 (2.30 p.m.)

BENJAMIN HERSEY, fisherman, Port Maitland, called and sworn:—

By the Commissioner:

Q. Are you engaged in lobster fishing?—A. Yes.

Q. For how many years have you been carrying on the fishery?—A. Twenty years.

Q. Always in the neighbourhood of Port Maitland?—A. Yes, not far from Port Maitland, a part of the time in Clare, less than five miles away.

Q. What is the practice among the fishermen here, do they own their own boats and gear entirely?—A. Yes, they do at Port Maitland.

Q. About what number of boats are engaged in the lobster fishery in that neighbourhood?—A. Twenty or twenty-two.

Q. Those are double-handed boats, with two men in them generally?—A. Yes.

Q. The lobster fishing season in this division is from the middle of December to the end of May?—A. Yes.

Q. About what time of the year do you begin your fishing generally?—A. About the 15th of March we commence to put out a few traps.

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Q. You do not fish in December?—A. One boat has fished in December for two years, that is all.

Q. In what depth of water do you fish your traps then?—A. Where we fish now we have about six or seven fathoms at low water.

Q. You begin in the middle of March and you fish right up to the close of the season?—A. Yes.

Q. Then there is, as I understand it, only one boat carrying on the fishing all through the winter in that neighbourhood?—A. Yes, that is all.

Q. Has that boat been doing it long?—A. Only two years, the winter before last was the first.

Q. Can you tell us what the experience of that boat has been?—A. It has not done much.

Q. What is the trouble? Are the lobsters not in there?—A. They are too far off, the water is too shoal.

Q. Do you fish in the same depth of water and the same distance off shore all through the season?—A. We vary, we go off five or six miles in about the same depth of water, but we have to keep in shoal water in order to keep where the fish are.

Q. Do they not come inshore as the season advances?—A. Yes, they come inshore in April, we have a school that comes inshore then, but they are offshore at the same time.

Q. Have you always fished over the same ground?—A. Always.

Q. Have you always fished the same number of traps? What number do you fish now?—A. I have increased the number the last two or three years. When we first commenced to fish we had 100 traps to the boat, and now we have reached 200 and over.

Q. Do you fish the same style of trap now as you used to in the beginning?—A. No, it is a smaller trap.

Q. Is it a patent trap?—A. A double-headed trap. We can fish more traps now that we have a better boat, we formerly used to row in a dory, and now we use a motor boat.

Q. What do you think is the value of a trap here?—A. \$1.

Q. How long do you consider is the life of a trap?—A. About three years.

Q. Do you find that it requires a larger amount of gear now to catch the same quantity of fish than when you began?—A. Well, yes.

Q. And how do the fish compare now?—A. When I first began to lobster fish I could land five and six crates a day out of 100 traps, all right.

Q. And to-day?—A. And to-day we cannot nearly do that.

Q. How do the fish compare to-day with the time when you began fishing?—A. That is in quantity?

Q. Are they run down in quantity and in quality, is the catch as large?—A. There are not as many large ones.

Q. What proportion of small ones would there be, under the 9-inch limit?—A. That is with the large ones too?

Q. Yes.—A. In number or in weight.

Q. Say in number?—A. Well, there are more than double the number.

Q. More than double in number would be small fish.—A. Five to one, I would say would be small fish.

Q. What do you do with your catch, how do you dispose of it?—A. Ship to Boston, and sell some to the factories.

Q. That is, all that are over 9 inches are shipped?—A. Yes.

Q. And all that are under 9 inches?—A. The factories take them just the same.

Q. And you export the live fish yourself?—A. Yes.

Q. Do the fishermen generally do so?—A. Yes, the fishermen in our district.

Q. How does the market fishery, the fish exported alive, compare with what you

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sell to the canners?—A. I should judge we sell two crates to one that we ship, or three crates to one.

Q. Which is the most valuable part of your fishery?—A. To the cannery.

Q. How would it affect you if the 9-inch limit were strictly enforced?—A. It would not affect me very much, that is after a little while; of course it would for the first year affect the lobster fishermen considerably.

Q. To what do you attribute the decrease in the fishery?—A. Oh, well, I do not know; I am not prepared to say what it would be.

Q. Is it not due to over-fishing?—A. Well, it is, a good deal due to over-fishing, yes, and to the greater number of boats. When I first commenced fishing I think there were four other boats fishing at Port Maitland, making five in all and I was fishing then at Black Point just above, and now there are twenty odd boats at Port Maitland, and where there were 1,000 there are now 2,000 traps on the same ground.

Q. Would you attribute the decrease in part to the destruction of the immature or small fish?—A. That would have something to do with it.

Q. Do you see a great many berried lobsters?—A. Yes, quite a number.

Q. Are they more numerous at one part of the season than another?—A. I only fish in the summer months, I would not know anything about the winter.

Q. In the summer months are they more plentiful than they are in the early part of the season?—A. No, there are more in the early part.

Q. You do not think they come into shore to spawn?—A. No.

Q. What is done with the berried lobsters?—A. They are chucked overboard as far as I know.

Q. Is it to your knowledge that brushing the berries off has been practiced on this part of the coast?—A. I have never done it myself and I have never seen anybody do it. I doubt if there is much of that done now.

Q. Do you think the fishermen are beginning to appreciate the fact that, in their own interests the seed lobsters should be protected?—A. Yes, the seed fish should be protected of course.

Q. Are you putting the slats closer together now than you did in the old traps?—A. Yes, I think so.

Q. What is the object of doing that?—A. To save the small lobsters.

Q. Within your experience have the regulations in so far as the small lobsters are concerned, ever been enforced?—A. Strictly enforced? Yes, it has been. When I first commenced to fish for lobsters I do not know what I would have done had I sent any 8-inch lobsters to Yarmouth, to the canner.

Q. What regulation was in force when you began fishing?—A. From 9 inches up.

Q. You did not fish then in the days when there were no regulations at all?—A. No, it was 9 inches by strict measurement.

Q. Was that regulation enforced for a while in the beginning?—A. It was with me.

Q. When did it begin to be less rigidly enforced?—A. I should judge it would be 12 or 14 years ago, I have not the dates, however.

Q. To your knowledge, have the canners ever made any scruples about taking small fish?—A. They have never refused to take them from us.

Q. Do you sell by weight or count?—A. Always by count until this year.

Q. And this year there has been a change?—A. Yes.

Q. What was the price paid for them this year?—A. We had 3½ cents a pound.

Q. For the smaller fish?—A. For all the fish under 10½ inches, we sold about all our 9-inch lobsters to the cannery.

Q. What was the price you realized for your larger fish that went to market? Of course that price varies throughout the season?—A. Sometimes we get \$14, and our first crate we sent we got \$20 or \$22; \$14, was I think, the lowest we got.

Q. What will a crate average?—A. A crate will go about 160 or 170 pounds when they are well packed, 140 is a crate.

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Q. You ship to Boston?—A. To Boston.

Q. How often do you get your returns generally?—A. Oftentimes by return boat.

Q. Is there sometimes a large percentage of loss?—A. Sometimes there is, but as a general rule they hold out all right.

Q. How many canneries are there in operation in your neighbourhood?—A. Only one.

Q. To whom is it licensed?—A. Mr. Shand is the licensee, George A. Shand.

Q. You know, I suppose, that the policy of the department for a number of years past has been to restrict the number of canning licenses?—A. Yes.

Q. Do you think it would make any difference to the fishery generally if the number were increased? Would more canners mean more fishing?—A. I do not think so.

Q. Do you think that practically everybody that could fish is fishing now?—A. I think so, everybody that wants to fish is fishing.

Q. Therefore an increase in the number of canneries would not, you think necessarily mean more destruction of fish?—A. No.

Q. Do you think an increase in the number would lead to more competition as to price?—A. It might have a little to do with that, there would be more opposition.

Q. Are fishermen generally satisfied with the price they receive from the canner?—A. Well, hardly this year, no.

Q. It has been the policy of the department during the last two years, in cases where fishermen are not satisfied with the price they received, to issue what they call co-operative licenses to groups of 15, or more, fishermen to can for themselves. Do you think that gives relief as far as the fishermen are concerned?—A. I do not know that it would hurt.

Q. You think that the fishermen would not go in for canning themselves?—A. I do not think so.

Q. Do you think the fishermen would make more money canning for themselves than by fishing?—A. I do not see how they would, I do not think they could attend to it.

Q. Do you think there is any competition at all in the price paid by the canners for fish, or are the fishermen obliged to accept what they offer?—A. Well, we did not accept what they offered there this last spring, we threw away our small lobsters and shipped the others until we got our price, or nearly our price.

Q. Now, as to the season, do you think that the season as it is now arranged from the 15th of December—of course you are not obliged to begin fishing then if you do not want to—to the end of May, is the most suitable season we could have both with a view to your own interests and to that of the lobsters?—A. Well, the opinion of the fishermen at Port Maitland is that the season should be from the 20th of March to the 20th of June, they want three months, and all the rest of the season closed.

Q. They want an increase in the length of the season practically?—A. No, that would be a great cutting off, from December.

Q. Yes, but you say you do not utilize that portion of the season?—A. No, we have that length now, from the 15th of December to the 31st of May. There is a change at Yarmouth, but it should be cut, and if we got the other 20 days it would not make very much difference one way or the other as regards that.

Q. That is to say, Digby has up to the 15th of June?—A. Yes.

Q. And you come over the boundary then?—A. Yes, we fish over the boundary, the principal amount of our fish is caught in Digby county.

Q. Have you given any attention to the matter of the spawning lobster? Have you any idea what the spawning season of the lobster is in this locality?—A. We get them at all times.

Q. Do the berries appear to be riper later in the season?—A. Well, no, I have seen seed lobsters with berries very small and dark coloured, and I have seen them pretty ripe in the beginning of the season.

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Q. Have you ever remarked, as to the egg-bearing lobster, the size of the smallest one you have noticed?—A. 9 inches.

Q. As a rule they are good fair fish?—A. Yes, it is not very often you will see them under 9 inches with eggs on.

Q. They do bear spawn less than that sometimes?—A. I suppose they do, but we never see them here.

Q. Have you any idea what proportion the berried lobsters bear to the total catch?—A. No, I could not say.

Q. The statement has been made that the berried lobster is more fragile, that it will not bear transport as well as the others, can you tell me anything about that?—

A. I do not know whether it would or not, but I would assume that the berried lobster is more delicate; I never undertook to pound one or to keep it in custody in order to see how long it would live.

Q. You never saw one nor handled one, of course, but do you know whether the lobster that has been stripped of its berries is certain to die?—A. I do not know about that, I never practiced it.

Q. Have you any remarks to offer upon the subject of hatcheries or pounds?—A. No.

Q. Are you aware of any fisherman having lost his catch of lobsters by reason of the canner having refused to accept them?—A. No.

Q. Are the present regulations restricting the number of canning licenses satisfactory to the fishermen?—A. As far as I know they are.

Q. Would you favour issuing a license to every man that applied for it?—A. Well, I do not know that it would be any benefit to me.

Q. Has that question ever entered your mind?—A. I have never thought anything about that question at all.

Q. Have you ever thought that one man might have as good a right to can as another?—A. Yes, if there is any fishing industry and a man wanted to start canning I do not know but what he should have the right.

Q. If the present size limit of 9 inches were enforced what effect would it have on the canner?—A. I think it would put the canner out of business.

Q. Would you favour the encouragement of the live lobster trade in preference to the sale to the canner?—A. No, I do not think I would.

Q. Is not the live export trade the least destructive to the fishery, and would not the fishermen make more by that?—A. They would not at first, but in a few years after they would.

Q. The lobsters are supposed to increase in size 2 inches every year, so that the small lobsters would not be long in reaching the legal limit?—A. Yes.

Q. Various recommendations have been made to the department at different times with regard to the condition of the fishery, and the best method of checking the decline. Some people have recommended closing down altogether for a term of years, what would you think of that?—A. That would give them a chance.

Q. That would be a thorough way?—A. Yes, that would be a thorough way, but it would drive a good many people out of the business, and scatter them about in different parts of the world so that they would never return again to the lobster business.

Q. Are all the lobster fishermen here regular deep sea fishermen, who after the lobster fishery is over return to the other branches?—A. About all of them are.

Q. Is there any other deep sea fishing going on at the time of the lobster fishery?—A. Yes, the other fishing commences about the same time or a little later.

Q. That is the cod and the herring fisheries?—A. The cod fish and halibut, there are not many herring here.

Q. And no mackerel?—A. No, only in May.

Q. Which branch of the lobster industry do you consider the more remunerative to the fishermen, and the best calculated to keep up the supply unimpaired, the canning, or the live lobster trade?—A. I should say the live lobster trade would be.

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Q. You think it would be less likely to impair the fishery with its high size limit?
—A. Yes.

Q. Do you think it would be wise to insist on a standard trap, that a certain space should be allowed between the slats?—A. And then allow the fishermen to take all that they can catch in the trap?

Q. It has been proposed, not so much for this part of the coast, as for the inner gulf for instance where the fish run very small?—A. That would avoid catching the smaller lobsters.

Q. You think it would?—A. Oh, yes.

Q. Some people maintain that the lobsters would not try to get out of the trap when it was disturbed?—A. Yes, you will at any time catch very small lobsters in the trap, but as a general thing you will not get nearly the number if the slats are wider apart.

Q. The fact that the tendency is to narrow down the space speaks for itself, does it not?—A. Yes, if we did not intend to catch as many small lobsters we would put our laths farther apart, because then they would not hold the water as they do when hauling them, and they would stay on the bottom better.

Q. Do you think, yourself, that by merely enforcing strictly the present size limit it would be all that the department need do to protect the lobster fishery in this district?—A. I do not think it would ever play out.

Q. Do you not think it would return to something like its former abundance?—A. Yes, I think it would be a great gain if it could be enforced strictly everywhere.

Q. There would be no use trying to enforce it in one place and not in another?—A. No. Of course these small lobsters would be caught and destroyed in other ways, but not nearly so many of them.

Q. Do you think that different open seasons and different size limits in adjoining sections of the coast are satisfactory? Do you not think they tend to encourage violations of the law?—A. By having an open season in one place and a close season in another?

Q. Yes, different seasons and different size limits?—A. It would to a certain extent; yes, they would only smuggle them across the line.

Q. Is there any smacking or fishing of lobsters by United States vessels done upon this coast?—A. I do not know that there is myself, I never saw one fishing.

Q. It has been reported to us that they are coming across to our shore here and are beginning the practice of fishing lobsters outside the 3 mile limit?—A. I do not know anything about that, I have never heard our fishermen who fish off shore report that.

Q. How are the lobsters delivered to the factory, do the smacks come around for them?—A. We deliver them to the factory at Port Maitland, but the factory has a smack that goes a little way from home, 3 or 4 miles.

Q. Do you think it is in the interests of the lobster fishery generally that lobsters should be taken before reaching that stage of maturity at which reproduction takes place? We suppose that the lobster cannot reproduce itself before it is 8 inches at least?—A. Yes.

Q. Do you think it is right to destroy them before they reach that age?—A. I do not know.

Q. Is it not very wasteful to take a 7-inch lobster which next year would reach 9 inches; would it not be worth a great deal more when it reached that size?—A. There are two ways to look at that.

Q. In what way do you look at it?—A. We see everything else killed in its younger days, when it is small, before it mothers; we go on the land and we see the cows and the lambs are all slaughtered when they are small——

Q. Not all of them?—A. Well, the greater part of them are, and I do not know why it would not be the same with the lobsters.

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Q. Do you not think the destruction is greater in the case of the lobsters? The parent animal brings forth only one, but in the case of the seed lobster there are so many thousands of eggs, which although they do not possibly all come to life the destruction is a great deal more?—A. We could take more anyway, and perhaps have enough left.

Q. Perhaps you agree with Dr. Field, he would kill off the young ones and leave the old ones?—A. Well, if you only catch the 9-inch lobsters, then you are killing off the old ones and leaving the young ones.

Q. Could a size limit of 10½ inches be maintained without detriment to the lobster industry?—A. I do not think so.

Q. I see in the Bay of Fundy here bordering on Kings and Annapolis counties the size limit is fixed at 10½ inches?—A. Yes.

Q. Do they do no canning there at all?—A. No.

Q. Have you any idea of the extent of the export trade there?—A. No.

Q. During what portion of the season is the fishery most actively prosecuted, when is the best time of your fishing?—A. In May.

Q. In your opinion would a shorter open season, without any restriction regarding size, result in arresting the decrease of the lobsters?—A. Well, I think it would, a shorter open season.

Q. With a removal of the size limit altogether?—A. Yes, let them catch all they can, but give them a shorter time to catch them in.

Q. What would you think of that as a method of conducting the fishery?—A. That would be my decision.

Q. How much would you cut off?—A. I would give a three months' open season and a nine months' close season.

Q. At what time is the market for live lobsters at its best?—A. For those that are shipped?

Q. Those that are shipped abroad?—A. I think in February, that is what I think, but I do not ship any then myself, but we see that they are at a good price then. They do not fetch as good a price when the season opens, or through December and January, but in February they are at about the best price.

Q. Are the facilities adequate for the proper handling of the live lobster trade?—A. I think they are.

Q. It has been said that in a few years the live lobster trade will altogether replace the canning, have you any opinion on that?—A. I have no opinion on that, no.

Q. Has the shipment of live lobsters proved a success financially, and have the prices realized been more remunerative than the prices obtained from the canner?—A. I think the canning lobsters return as much or more than the live lobsters with us, that is as far as I know. It may be that some other fishermen may receive a better revenue from their shipping lobsters than from the canning, but we can answer that for ourselves, that we get more from the canning than from the live lobster trade.

Q. Is that on account of the larger proportion of small fish?—A. Yes.

Q. Though the price you receive from them is less?—A. Well, there is no expense in connection with the canning lobsters, we go right to the factories and sell them and there is no expense. We have to pay \$1.00 per crate on all lobsters shipped, and 50 cents each for hauling from Port Maitland to Yarmouth, besides the other expenses, commission, etc.

Q. So on the whole you consider canning the most profitable?—A. Yes, there is more clear money, not quite as much in the gross, but we clear more.

Q. Can you give me some idea of the number of pounds weight of fish sold to the canner by the average fisherman?—A. Well, I could, but I am not prepared to do so today.

Q. Could you not give me an estimate of it?—A. No, but if I had thought you would ask the question I would have been prepared to give some idea.

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Q. Is there anything you would like to suggest yourself in connection with the lobster fishery that I have not asked you about?—A. I do not know that I have anything further to say except that the fishermen of Port Maitland want to have the season from the 20th of March to the 1st of July.

Q. And they want to be able to flop over into the adjoining section and fish in December, do they?—A. There is no fear of that in Port Maitland now, there is no fishing done in St. Mary's Bay that pays anything at all, there has been good fishing there but it does not pay now, and they are gradually going out of it.

By Mr. Law, M.P.:

Q. What is your opinion, suppose the Department made an open season of 12 months and put a size limit of $10\frac{1}{2}$ inches, what effect would that have on the fishery?—A. It would be an injury to us at Port Maitland.

Q. I only want your opinion, that is all I am asking for; do you think it would be an injury?—A. Yes, we can do better with the hand lines after the first of June in the deep sea fishing.

Witness discharged.

C. E. CHURCHILL, fisherman, Short Beach, called and sworn:—

By the Commissioner:

Q. What is the extent of your connection with the lobster fishing industry?—A. 15 years time.

Q. How does the fishing compare today with what it was when you began?—A. I think I made more a year ago this summer than I have at any time within the 15 years.

Q. Were you fishing more gear than you did when you began?—A. More than I did at first, but not more than during the last 5 or 6 years.

Q. What is that due to, was there a good run of fish that year?—A. The price was better than ever before.

Q. It was not so much that you got more fish, but a higher price?—A. I think I got more for the small ones than I ever did before.

Q. Is the proportion of small fish greater than it was when you began fishing?—A. I do not think it is, of course small fish mean more money now than they did.

Q. How many canneries were in existence when you began fishing?—A. Only one in Yarmouth County that I know of.

Q. I do not mean in Yarmouth County particularly, but in your immediate neighbourhood?—A. Only one.

Q. That is this same lone cannery?—A. Yes.

Q. How far is it from your fishing ground?—A. It is three miles from where we get the lobsters to the factory.

Q. Do you deliver them yourself to the factory or are they smacked?—A. Sometimes the smack comes for them and at other times they are trucked across.

Q. At what time do you begin your fishing?—A. Well, the season opens in December.

Q. How do you find the fish then?—A. They are scarce in my experience.

Q. Do you begin on the 15th?—A. Yes.

Q. Do you put your gear out before that time?—A. No, I have never put a trap out before that yet.

Q. And you find the fish scarce at that time of the year?—A. I have, in my experience.

Q. How long have you been fishing in December?—A. I think about five years.

Q. And are they always scarce then?—A. Well, there has been up to last year a school of lobsters in close that would last until about the first of January when they are quite plentiful.

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- Q. Were these fair sized lobsters, were there many market lobsters among them?
—A. Very much the same run as those we catch in the spring.
- Q. How did you find the market price then as compared with April and May?—
A. The live lobster trade is the more remunerative.
- Q. I mean the price, I have heard they are stiffer in December than they are in the spring?—A. I do not think there is much difference in December, but later in the winter they are.
- Q. You begin then and you fish steadily right along, do you?—A. No, indeed, not in my locality, it is very much exposed.
- Q. Do you leave the gear in the water all the winter?—A. Yes.
- Q. How often do you bait the traps?—A. Sometimes we would get at it twice during the week, and sometimes once in two weeks.
- Q. Do you meet with much loss of gear?—A. Yes, sir, and of fish too.
- Q. The inshore gear suffers the most?—A. Yes, we expect to lose that when we put it out.
- Q. Can you give me any idea of the extent of the loss of gear, what percentage of gear do you lose each year?—A. In the fishing gear itself we lost 50 per cent last year and nearly that much lobster, after they were caught and before we could get them to market, that is in our particular locality because we have not a place to keep them after we get them.
- Q. You are on an exposed shore?—A. An exposed shore.
- Q. Where did the greatest loss occur, at home or while the lobsters were in transit?
—A. At home, trying to keep them in the water until we could ship them.
- Q. Is there a Fishermen's Union in your locality?—A. There is not.
- Q. I forgot to ask the previous witness if there was a union in his locality?—
A. No, there is not.
- Q. What is the number of boats fishing your particular locality?—A. 17 in the summer season.
- Q. And not as many as that in the winter?—A. There was only one that did much at it, fished off shore, the others fished inshore.
- Q. Where do you fish?—A. Offshore, my traps are in 20 fathoms of water, six miles off the shore.
- Q. Is it to your knoweldge that foreign fishermen are coming in and fishing lobsters?—A. It is very much to my knowledge that people who fish their ground in winter come up and fish in our ground in the summer and I have had to take their gear that got entangled with mine.
- Q. Do you fish in the same depth of water all through the season?—A. Yes, in the summer we have some gear close in in shoal water.
- Q. Do you find any difference in the quality of the fish? Is there a larger percentage of small fish in shoal water than there is in deep water?—A. The shoal water inshore has more small fish and very few large, but if we strike shoal water fellows outside they run large.
- Q. What do you mean by the shoal inshore?—A. Close into the land.
- Q. You ship the large lobsters yourself?—A. Yes.
- Q. And you sell all the small ones under $10\frac{1}{2}$ inches to the canner?—A. Yes. This season we contracted with the canner for all under $10\frac{1}{2}$.
- Q. Have you ever shipped the smaller market lobsters to New York?—A. Yes, in times past.
- Q. How did that pan out?—A. They were uncertain with me, I have got extra good returns on a shipment, and probably the next shipment would be all loss or nearly so, so that as a whole they were unsatisfactory.
- Q. And how was it in connection with the Boston market?—A. We have done at our particular location very little of it, because we gave them to the canner as he could not live without them. We let him have them this season.

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Q. Did he export them himself or can them?—A. He canned them.

Q. What proportion of the whole catch would be under 9 inches?—A. 20 per cent.

Q. Were the regulations regarding size ever strictly enforced to your knowledge?—A. Yes.

Q. When?—A. I cannot just say, up to probably six years ago, but I cannot say for certain.

Q. And after that they became laxer?—A. Yes.

Q. Has the canner ever objected to receiving small lobsters?—A. Not to my knowledge.

Q. How small do you capture them, down to what size?—A. I cannot answer that because I never measured.

Q. You have no idea as to how small they really take them; in some places we found they took them 4 or 5 inches.—A. I have an idea that we do to 5 inches, but I would not say positively because I have never measured the smallest ones.

Q. Have you any idea yourself how many 5-inch lobsters it would take to fill a pound can?—A. To fill a pound can, no.

Q. Are you keeping up your catch by fishing an increased amount of gear?—A. Keeping up my catch in comparison with former years?

Q. Yes?—A. Not in large lobsters, in 10½ inch lobsters.

Q. What I mean to say is, if you fished the same gear, and the same traps as you fished 20 years ago?—A. No, I would not.

Q. Can you give me any idea of the average returns to an active fisherman from the lobster fishery?—A. From year to year?

Q. Yes, one year with the other, including the large lobsters and the small.—A. I think that for our 17 dorys the average stock from the 20th of March would be \$450.

Q. That is the gross earnings?—A. That is the gross, that is all our stock and out of that we have to take our expenses.

Q. What do you value the trap at?—A. The trap rigged for 20 fathoms of water would be \$1.00 and a little less of course for shoal water.

Q. Do you fish them all single lines?—A. Yes.

Q. Is there any difference in the trap used now as compared with the trap you began to fish with?—A. Yes.

Q. What is the difference?—A. They are so made that the traps will hold the fish better.

Q. That is the only difference, no more lobsters get into them?—A. No more get in, and I do not think there are as many.

Q. Is the tendency to narrow the width between the slats?—A. Yes.

Q. What is the average space to-day?—A. I measure it with the pole of the hatchet.

Q. And what is the size of the mesh in the net at the head?—A. Probably 2½ or 3 inches.

Q. Do the fishermen generally make their own traps?—A. Yes.

Q. And I suppose the fishermen all own their own boats and gear?—A. Yes.

Q. Among the many suggestions that have been made to the Department there is one that the fishermen should register, that before they begin lobster fishing they should each apply to the fishery officer and take out a form of license in which the regulations would be printed and the fishermen would have to subscribe to them. The idea is that the fishermen having done that would feel themselves bound to live up to the regulations and would be apt to lay information against others who violated the law. Do you think it would have that effect?—A. I think it would add just one more to the fisherman's many sins.

Q. There are some good people that have recommended it, the intention being that if a fisherman violated the law he would not be allowed to take out a license, and therefore would not be allowed to fish?—A. It might work in some localities.

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Q. Who fixes the price paid for lobsters that are sold to the canner?—A. Of course they all fixed it together last season.

Q. What was the trouble last season, that the prices were low?—A. Yes.

Q. How did the price compare with the season before?—A. About 40 per cent less, I think.

Q. What was that due to?—A. That is a pretty hard question to answer. The fishermen maintain that it is due to a combine among the packers, and the packers claim that it was due to a glut in the market.

Q. That is the drop in the price of a case of lobsters?—A. Yes.

Q. Did the price remain the same during the whole season last year, or did the packers advance the price?—A. No.

Q. Did you get more at the close of the season than at the opening?—A. Not in our locality.

Q. What did you receive the year before?—A. Where we got \$3.50 this season, we got six cents per pound for a part of the season before.

Q. You think there is no competition in the matter at all, that you are obliged to accept whatever is offered to you?—A. I think there has been very much competition, but last season that seems to have dropped.

Q. That is to say that when there was an active demand for lobsters there was competition?—A. Yes.

Q. Have you ever known a packer to refuse to accept under-sized lobsters?—A. No.

Q. If the regulations were to be strictly enforced, where should we go to effect it? To the cannery or to the fisherman?—A. Well, I do not think there would be any fishermen in our locality to go to if the season remained the same.

Q. What is your opinion about enforcing it, do you not think it would be to the interests of the industry to enforce it?—A. Not under the present circumstances, and probably under future circumstances I would not.

Q. Do you not think it would improve rapidly after a season or two?—A. Not under the present circumstances, I do not, the way our neighbours are. I am referring to the American fishermen who come right in here where we can almost see them and we have to sit here, and watch them, and cannot help ourselves.

Q. Do they take many undersized ones, do you think?—A. I do not know about that, I think very probably they do.

Q. Have you noticed the United States fishermen catching lobsters off shore?—A. This present season is the first I have heard of them coming in so close.

Q. Were there many vessels?—A. No, I have heard of one only.

Q. That would be a welled smack if they are keeping the lobsters alive?—A. Yes.

Q. Have you any idea as to the spawning season of the lobster?—A. I think I have, I think I have seen them with eggs on pretty much all through the season.

Q. You have never noticed whether those eggs were riper as the season advanced?—A. I never could see any difference.

Q. You found no more spawn lobsters at any particular season than you did at another?—A. No, only that in some weeks we would find more than in other weeks.

Q. They come in runs?—A. Yes, in runs. There are more offshore than inshore it is very seldom we see them close in.

Q. Do you know whether the lobster comes into shore to spawn or not?—A. There is every indication that they do not, however, that is comparatively speaking, they may come from the deep water into our shoals a few miles off, but as to coming into our shore, they do not.

Q. Have the regulations for the protection of the berried lobster been strictly observed here?—A. Yes, that is as far as I know.

Q. They have always been observed?—A. As far as I know.

Q. You never heard of the practice of stripping the eggs off?—A. Not in our place, I have heard of it outside.

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Q. You have heard what?—A. I have heard of it some years ago, but not of late.

Q. Do the canners object to receiving them, do you know?—A. I do not know, I never heard of one being brought in.

Q. Then you think that a strict enforcement of the 9-inch limit would put the fishermen out of business?—A. In our particular locality with the present length of season, because we have only two months in which we can catch the lobsters to any advantage at all.

Q. And those two months are?—A. April and May.

Q. Do you do any fishing in June?—A. Yes.

Q. You go over into the other district?—A. Yes, that is about the only month we can fish there with any degree of safety or comfort.

Q. Have you any idea or any experience as to the matter of hatcheries or pounds?—A. No.

Q. Do you think the conditions exist here where pounds could be established? You want a certain depth of water, a clean bottom, good current, and the means of barring off the opening so that the lobsters can be held in the pound.—A. There are none that I know of close to our locality, I do not know how it would be down here.

Q. On what bottom do you generally fish, on a rocky hard bottom?—A. Yes.

Q. What do you think of the method of licensing canneries, do you think there are a sufficient number of canneries under license already for the good of the industry, or would you advocate the granting of more licenses?—A. Well, I do not know that I would, except the granting of fishermen's licenses if they wished it, that is when the canners were too hard on them; if we have the privilege of canning our own lobsters it would be a good thing.

Q. In order to furnish a way out of that trouble, the fishermen have complained that in some cases the canners have refused to operate their canneries, leaving the fishermen in the lurch, and in such cases the Department have granted co-operative licenses. Do you think that furnishes a sufficient way out of the difficulty for the fishermen?—A. I do.

Q. There are no canneries of that kind in this neighbourhood?—A. No.

Q. So far you have always got along all right with your canner?—A. Yes.

Q. I suppose if the present size limit were strictly enforced it would put the canner out of business too?—A. I think it would.

Q. Do you think an increase in the number of canneries would mean an increase in the number of fishermen?—A. No. And with regard to the question before this I think I would like to take my answer back, I do not know that it would put the canner out of business at all because I think there would be so many less canned that we would get a much better price for the canned article than we do now for the live lobster, I do not think it would put him out of business, no.

Q. What is your idea with regard to the destruction of immature lobsters, do you think it injures the fishery?—A. I certainly do under the present circumstances.

Q. Would you favour the encouragement of the live lobster trade in preference to the canning of lobsters if it were necessary to make a distinction?—A. If only one branch could be carried on, and we could carry on the live lobster trade the year around, I would, but not under the present season limit.

Q. Do you think that the fishermen would make more money if they were allowed to can for themselves, I mean the fishermen generally?—A. That is a pretty hard question, I think they would if they could hold together like a body of men should under such circumstances.

Q. Do you think the number should be restricted to 15, or might that number be lower?—A. The number of fishermen who combine together?

Q. So far the Department has insisted on 15 clubbing together before they can get a co-operative license.—A. I should think it would be all right.

Q. Do you think that 15 would be more likely to disagree than 7 or 8?—A. I do not think their interests would be so large, I have had no experiences of hatcheries or

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pounds, any more than that I have often wondered why the lobsters were not distributed along here like they are on the other coast.

Q. You have no hatchery here?—A. Have they not one in Halifax?

Q. Yes, but they only distribute them from the pounds where they gather the eggs. You see they gather the eggs from the canneries within a certain distance on each side of the hatchery, and when the eggs have been hatched the young lobsters are distributed over the area from which the eggs were collected. Where the season ends as early as it does here, in May, it is doubtful whether the hatcheries would be any good, because we would have to hold the eggs so long in the hatchery. Of course if the season were lengthened and you caught your lobsters nearer the hatching-time it would be all right. Has there been any noticeable decline in the average size of the lobsters caught within your district within the last ten years?—A. Yes.

Q. Do you think the decrease is going on all the time? Some people tell us they think it has been arrested, that now there is no decrease taking place, and that the fishery is stationary.—A. I do not know that there has been any large proportion of lobsters under 9 inches the last few years.

Q. That is in the last ten years?—A. In the last ten years.

Q. But there has been in the last 15 or 20 years? Are you not bringing to shore a larger proportion of immature lobsters now than you did when you began fishing?—A. Of course, until 5 or 6 years ago they were not brought to shore, but were thrown out day by day, and it seems to me that we were throwing out then more than we are bringing ashore now.

Q. Do you think there is any good reason why the size limit should be smaller in one district than it is in another?—A. No.

Q. Have you ever fished in any other neighbourhood than your own?—A. I have fished the first half of June in Digby county waters.

Q. That is in this neighbourhood. Do you know whether the lobsters run smaller in any one locality than they do in another?—A. No.

Q. Have you any idea as to whether the lobsters are as full in the fall as they are in the spring. Some people say it will take 30 per cent more lobsters to fill a pound tin in the fall than it will in the spring?—A. I never found it so, we occasionally find a trap that has been left over sometimes in the fall and we fetch it in, when we are going in we haul it and get a few lobsters to eat, and I can never see any difference myself in them, they are apparently just as full of meat as in the spring.

Q. You would not notice perhaps, unless you were canning them.—A. If there was any great difference we would notice it.

Q. I think the idea is that in the soft shell period they are not as full, and they have not filled up again. Should the department adopt the policy of so framing the regulations as to allow the taking of large lobsters, leaving the small ones untouched, what style of trap is best adapted for that purpose?—A. Well, I think the trap should be made so that it would let out all the small lobsters that are not supposed to be taken.

Q. Have you any idea how large a lobster would get out through a 1½ inch opening?—A. I think an 8 inch lobster would go through that all right.

Q. Has any fishing been done here in the bays, the lagoons, and the shoals and inshore waters?—A. No.

Q. What is the best time of your fishery, which is the best month?—A. Well, May, anyhow, but June I think would be if we had it, because we could get at it every day, and there are as many brought into our end of Yarmouth County out of Digby waters in the last month than in any other equal time in the year.

Q. In your opinion would a shorter open season with no restriction as to size and some regulation as to the space between the slats result in a depletion or an increase in the supply of lobsters?—A. Well, if we only had our own fishermen to contend with it would result in an increase, but under the circumstances I do not think it would.

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Q. You would not advise any shortening of the season, in your case, from what you say?—A. I would not advise any shortening if you shortened it at one end to tack it on another.

Q. How would fall fishing work here?—A. I think if we could have six months of the year in our locality, three in the fall and three in the spring, it would be protection enough for the lobster and far better for the fishermen.

Q. Of course you are not bothered with ice here at all?—A. Not to any extent, only occasionally.

Q. That is shore ice?—A. Shore ice.

Q. Are the existing facilities adequate for the profitable handling of live lobsters?—A. No, not in one way.

Q. What could be done to improve it?—A. I do not suppose anything could be done under the present circumstances. We are charged \$1.00 for getting the crate across the Bay, and it comes back smashed up in 9 cases out of 10 and the lobsters are injured.

Q. What do you mean by "crossing the bay"?—A. Going from Yarmouth to Boston.

Q. Are the crates broken up on board ship?—A. From the time they leave until they get back, somewhere.

Q. Have you any recourse against the ship?—A. I think not, not to amount to anything.

Q. Is it your opinion that in a few years the live lobster trade will altogether replace the canning, that statement has been made to the department?—A. No, I do not think so.

Q. Do you think it will ever entirely supersede canning?—A. I do not just understand the question.

Q. The live lobster trade is now from 9 inches up. There are a number of people in this neighbourhood, and some not far from here, who advise the department that the regulations should be so framed as to encourage the live lobster trade in preference to the canning, the idea being that the live lobster trade will altogether supersede the canning in the near future along this coast?—A. I do not think it, I think the canner can pay more for the lobsters than they can pay for them alive, a certain quantity of them.

Q. Do you receive the larger portion of your income from the fish sold to the canner or from the live lobsters exported to market?—A. Of late years, yes.

Q. How used it to be, before?—A. Well, before, the first few years, I got three-fourths from the live lobster trade.

Q. And now you do not get as much?—A. On the average I get more now from the canning.

Q. What is that due to, the increase in the lobsters shipped abroad?—A. No, the first year I got 1½ cents each for the live lobsters, and the year before last I got six for the small lobsters, that was for the ones I had to throw away before.

Q. When you got 1½ cents each how were you exporting them?—A. Hauling them by teams to Yarmouth town, nine miles, and paying our own freighting.

Q. How was it your market return was so small for the market lobsters?—A. You mean by the market lobsters canned, or what?

Q. We are at cross purposes, I think. What I wanted to find out was what proportion of your revenue from the fishery did you make from the canning lobsters and what from the export lobsters?—A. Well, as I say, when I began I got three-fourths from the export and one-fourth from the canning.

Q. That was because?—A. Because the canned lobsters gave me 1½, or less than 1½, 1¼, and the ones that would go 10½ inches would give me probably 15 cents.

Q. Do I understand you to say that the season from December to March is of no value to you, and that you would recommend opening the season at the middle of

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March and extending it to the middle of June?—A. No, not exactly that, it is of some use to us but nothing as compared to what the month of June would be. If we had to sacrifice anything we would like to make it along our shores during the winter, and be able to fish during the month of June when we can do so with more safety.

Q. There is very little fishing done prior to March?—A. There is very little prior to April, or the 20th of March.

Q. Is there anything you would like to say yourself, anything else you would like to add?—A. No, I do not think there is at present.

Witness discharged.

JOHN BURNS, fisherman, Sandford, called and sworn:—

By the Commissioner:

Q. What section of the coast do you speak for?—A. Sandford.

Q. How does that lie from here?—A. Northwest from here, I guess.

Q. To what extent is the lobster fishery carried on there, what number of boats are fishing?—A. 22.

Q. Who does the canning in your neighbourhood?—A. We have no cannery there, we sell to the smacks. G. A. Shand, M. J. Neville and Ellis & Beveridge all send smacks there.

Q. Has the number of canneries increased or decreased in that neighbourhood?—A. There never has been any cannery there.

Q. I mean on either side of you, at the places where they are smacked to?—A. There are about the same number as for many years.

Q. Are these large canneries?—A. No.

Q. Have you any idea of the extent of their output or pack?—A. No.

Q. Is there any station of the Fishermen's Union with you?—A. No.

Q. How many years have you been connected with lobster fishing?—A. About 3 years.

Q. And do you carry on any other fishery besides the lobster?—A. Yes.

Q. You go to the deep sea fishing?—A. Yes.

Q. Within your recollection, 8 years back, has there been any decrease in the fishery?—A. Well, I do not think so; I think that the year before last I made my biggest year.

Q. Was that due to the very favourable conditions for fishing?—A. The weather, we had good fishing.

Q. What time do you commence fishing?—A. We fish a little in the winter months.

Q. You begin in December?—A. Yes.

Q. The middle of December?—A. Yes.

Q. And do you fish right straight through the winter?—A. Yes, we have a few traps out, just a few, we do not fish largely, just a few traps.

Q. How is the December fishing compared with the spring fishing?—A. It does not compare at all; it is very small in the winter compared with the spring.

Q. And how are the prices in the fall?—A. The prices in the fall are no better than in the spring.

Q. Is the cannery open in the fall?—A. Yes.

Q. And is it kept open all the winter?—A. I think so, as long as they get lobsters.

Q. And the smacks go around regularly to collect the lobsters?—A. Yes.

Q. All through the winter?—A. Yes.

Q. What proportion of your catch is sent alive to market, and what proportion is sold to the canner?—A. Thirty per cent is sent alive to the market.

Q. So that the best part of your fishery is the canning?—A. Oh, yes.

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Q. Has that always been so?—A. I cannot say as to that, because I have only been in the neighbourhood seven or eight years.

Q. What number of traps do you fish?—A. The average will be about 150 to the boat.

Q. That is two men to the boat?—A. Yes.

Q. How far off shore do you fish?—A. As far as 7 or 8 miles.

Q. Are you aware of any fishing being carried on by foreign vessels?—A. Not any more than what I heard.

Q. You have heard of it?—A. Yes.

Q. When did you first hear of it?—A. I have heard of it before to-day, but I just cannot remember when. I know that I heard of one fact, that they said a foreign vessel was fishing out on the Lurcher, but I know that is not so because I have seen the fishermen from there and they say there has not been any there this year.

Q. Do you fish on the same ground, winter and summer?—A. Mostly.

Q. You do not shift in as they do farther east along the coast?—A. Oh, yes, we shift in.

Q. You do shift in shore?—A. Yes, we come in.

Q. That is as the weather gets finer?—A. Yes, then we come in.

Q. How do you find the fishery off shore before that?—A. In the spring when the lobsters come in the best proportion is in shore.

Q. Do you get a larger proportion of small fish in shore?—A. I think so.

Q. Have you ever noticed that the female lobster with berries on comes in shore, that you get more of them in shore than you do outside?—A. I do not think so.

Q. What has been done with the egg lobster generally? Has she always been returned to the water?—A. Yes.

Q. Is she returned at once?—A. Oh, yes.

Q. Is it to your knowledge that any other practice was ever followed?—A. Not to my knowledge.

Q. Are you fishing the same amount of gear now that you did when you began?—A. No, I am fishing more gear.

Q. Does it require more gear to keep up your catch?—A. I think so.

Q. Is there any difference in the trap you use now from that you used when you began 8 years ago? I suppose the old fashioned trap has gone out?—A. Well, I think to-day they are making a smaller trap.

Q. You do not use the full length of a lath now?—A. No.

Q. What space do you allow between the laths?—A. The head of the hatchet.

Q. How much will that be, a little less than an inch, will it not?—A. I could not just say, but it is quite small.

Q. Do you think there is a tendency to narrow the space between the slats?—A. I think so.

Q. And there is only one reason for that, I suppose?—A. Only one.

Q. What would happen to you if the 9-inch limit were strictly enforced?—A. Well, it is very hard to say. It would have a tendency to injure me for the first few years, for sure.

Q. Do you not think that ultimately you would be the gainer by it?—A. I think so myself.

Q. I suppose that in your time of fishing the custom has been to take to the canner everything you catch except the berried lobster?—A. Well, no, I think I fished a couple of years there when we threw away all up to the 9-inch.

Q. How was it you gave that practice up?—A. Of throwing away all under 9 inches?

Q. Yes?—A. Because you could sell them.

Q. And because you knew, I suppose, that other people did so?—A. Oh yes.

Q. What do you think of that suggested plan of asking fishermen to register?—A. Well, it might have a tendency to do good.

SESSIONAL PAPER No. 22a

Q. Have you seen the evidence given before the Committee in Parliament last year? That matter was suggested there by more than one person, I think. Do you think it would have any effect on the fishermen?—A. Yes, if a man takes an obligation he would be more apt to keep it, that is for myself; but a man may not fine his neighbour although he would keep the obligation himself.

Q. Would you advise it being done or tried as an experiment?—A. I do not know.

Q. As to the matter of price, is there any competition in that, or are you obliged to take what is offered you by the canner?—A. I do not know that we have any choice.

Q. In the year preceding this one was there any competition when the price of lobsters was running up?—A. There might have been some.

Q. Were different smacks offering one more than another?—A. I think they were.

Q. Then there was some competition?—A. Yes.

Q. And it was only this year when the price dropped that the idea became general of a canners' combine?—A. Yes, still, this year we had some competition.

Q. You had some competition this year? That is among the smackmen?—A. Yes.

Q. Did rival smackmen offer more one than another?—A. Not just that way, but in the next neighbourhood they were getting more than we were in our neighbourhood.

Q. And did that result in your getting an increase in price?—A. Well, after a time we did, I think. We started at \$2.50, and our neighbours were getting \$3.50, and we got an advance after a while.

Q. Was that satisfactory, and did that remove all cause of friction?—A. Well, it had to be satisfactory.

Q. Now, as to the matter of licensing canneries, what is your opinion about it, do you think an increase in the number of canning licenses would mean an increase in the amount of fishing, more destruction of lobsters?—A. I do not think so.

Q. Do you think there is any reason why one man should not have as much right to can as another?—A. No, I think that opposition is the life of trade.

Q. Do you think any inspection should be required in connection with the canneries, or that the food product of the canneries should be subject to inspection the same as other food products are nowadays?—A. I do not see why it should not be.

Q. That is an official inspection, so that the product of the cannery would be branded the same as other food products are?—A. I do not see why it should not be.

Q. Within your recollection have you ever known the canner to refuse to accept undersized lobsters?—A. No.

Q. Now as to the matter of season, what is your opinion, are you satisfied with the season as it is or what would you recommend?—A. For myself, I am representing Sandford, we had a meeting there, and we thought we should have the season extended from the 1st of December to the last of June.

Q. From the 1st of December until the last of June, that is to say you would add one month at the latter end, and two weeks at the beginning of the present season?—A. That is of course if there is an extension, but if we have to sacrifice any of the present season we would rather sacrifice the first end.

Q. You would rather sacrifice the December end?—A. Oh, yes.

Q. With regard to the berried lobster, have you ever remarked the size of the smallest lobster you have ever seen bearing berries?—A. I do not think I have ever seen a very small one, I do not think I have ever seen a berried lobster under 10 inches.

Q. You have never seen one under 10 inches?—A. No.

Q. What proportion of the lobsters in your catch would be female lobsters with the eggs extruded?—A. That is hard to say.

Q. There is a very small proportion is there not?—A. I do not think there is a very large proportion.

Q. It is said to be between 3 and 5 per cent?—A. It is that, and I do not know but what it is more than that sometimes.

Q. You think it would be more than that sometimes?—A. It is more than 3 at least.

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Q. What would you think of that suggestion to shorten the season, to do away with the size limit, and to provide a standard trap, that has been suggested by some people as a way out of the difficulty?—A. You mean that would have a tendency to decrease the number of small lobsters taken?

Q. Some people claim that we could regulate the escape of the small lobsters by fixing a standard space between the slats in the trap?—A. I think it would.

Q. You think it would have that effect?—A. Yes.

Q. Say that we insist on an inch and a half between the slats?—A. That will leave out a larger lobster than we generally let go.

Q. How large a lobster would go through that?—A. It would let out an 8 inch lobster I think.

Q. I think you told me, as far as you know, the practice of stripping the lobster has never been followed here?—A. No, not as far as I know.

Q. If the canner refused to accept undersized lobsters would the fisherman be compelled to return them to the water?—A. Oh, yes.

Q. Do you know whether it is the practice to avoid dealing with a canner who is known to be careful on this point?—A. I do not think so.

Q. You never had that excuse for changing?—A. No.

Q. Have you any opinion to offer on the matter of hatcheries or pounds?—A. No, I do not think we have a place adapted for them here.

Q. Nothing of that kind?—A. No.

Q. What would you think of the proposition to stop fishing altogether for a term of years?—A. Well, it would have a tendency to increase the lobsters sure, but it would put a lot of people out of business, they would suffer by it.

Q. Is there any other fishing they could turn their attention to?—A. Oh, yes, they could go cod fishing, and they could go to the other fishing, still those fisheries would not give the return that the lobsters do.

Q. It would not give the same return. Could you give me any idea of the average return of a good active fisherman from the lobster fishery that is both branches of it?—A. Well, I should judge between \$400 and \$500.

Q. That is the gross return, from that he must deduct the cost of his outfit and help?—A. Yes.

Q. How is the extra hand in the boat paid, is he generally a shares man or a wages man?—A. It all depends, some go alone, some hire a man and others take one on shares.

Q. It is generally a man and a boy, often times the father and son?—A. Yes.

Q. Do you think that the present policy of the department in issuing co-operative licenses to the fishermen who desire to can for themselves is one that should be encouraged and developed?—A. I think that is all right.

Q. I think you have already told me that an increase in the number of canneries would not mean more fishing?—A. No, it would not.

Q. It is said that in some districts no canner can continue in business and observe the law regarding the size limit, what do you think of that?—A. Well, it is a question to my mind. If the small lobsters were not caught there would be very few canned, and that would have a tendency to raise the price of the canned article, and the canner would be able to pay more for the lobsters so that he could can the 9-inch.

Q. Would you advise a strict enforcement of the law as the best way out of the difficulty of making that change?—A. That would be one way.

Q. Would it be the best way, would it be a fair way?—A. I cannot see where it would be unfair.

Q. Do you think that the decrease apparent in the condition of the lobster fishery is due to over fishing and the destructive method of fishing?—A. To catching small lobsters, but not to over fishing so much.

Q. Not so much to over fishing as to the destruction of the immature, the small lobsters?—A. Yes.

SESSIONAL PAPER No. 22a

Q. What do you think about this question of different open seasons and different size limits in adjoining sections of the coast; do you think it would be better as far as possible to have the same season and the same size limit everywhere?—A. I think so.

Q. These changes do lead to violations of the law do they not?—A. Yes, because you have only to step across the line.

Q. Is there any fishing in inside shoal waters, or in lagoons or anything of that kind here, or is it all off shore fishing?—A. It is all a straight shore here.

Q. When do you make your best catch of fish?—A. Well, it all depends on the weather a lot, if it is a fine spring we make the best catch of fish in April, if it is not fine we make it later on.

Q. As I understand, you do not advise any shortening of the season but rather a lengthening of it at each end?—A. Yes.

Q. It has been said, that in a few years the live lobster trade will altogether replace the canning? Have you any opinion to offer on that head, especially for this western shore, that is the opinion of some who call themselves experts?—A. I think there are as many live lobsters shipped to-day as ever there were—or not as ever there were, I will not say that, but for the last seven or eight years.

Q. Do you think the tendency is to develop that branch of the fishery?—A. Well, I am afraid it is, I think it is.

Q. Is there anything you would like to state that I have forgotten to ask you about or have not touched on?—A. I guess you have about covered it all.

Witness discharged.

WILLIAM O. PORTER, fisherman, Pembroke Shore, representing Bluff Head, Pembroke Shore, and Chegoggin Point, called and sworn:—

By the Commissioner:

Q. I understand that you represent certain portions of the coast?—A. Three sections, that I think is going to put me in a kind of a hard box because I do not understand thoroughly the whole ground.

Q. What length of coast do these three districts cover?—A. Two or three miles, I should think; I have never measured it, but approximately that is it.

Q. All these places lie within two or three miles?—A. I should think so.

Q. About what number of boats are there in the three places, would you say?—A. I figure that there are somewhere about 20 or 21.

Q. Are these large boats with two men each?—A. Partially gasoline launches, and partly boats.

Q. What would be the average number of traps?—A. Oh, the average would be from 175 to 300.

Q. When do you begin fishing?—A. Usually as soon as we can get the traps in the water after the season opens.

Q. How do you find the fishing at that season of the year?—A. When we first put out there is nothing off shore, but there is in shore, there is where we put what we call boggy gear in the water, gear that we know we will lose, and we get fairly good fishing for a number of weeks.

Q. That is old gear, is it?—A. Yes.

Q. And usually you begin fishing in shoal water?—A. Yes; we plan to get our gear off shore as soon as we can so that it will be there when the lobsters strike.

Q. When they do strike, what sort of a run of lobsters do you mostly have?—A. They are mostly large on our ground.

Q. Are they nearly all export lobsters?—A. Yes, that is since the Boston market has been opened for 9-inch.

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Q. That has been for the last two years, has it not?—A. Yes, last year I believe was the first.

Q. Do you export your own lobsters yourself?—A. I do, unless I hold out part of a crate to sell on the wharf sometimes, but if I have a full crate I ship myself.

Q. For sale where, on the wharf at Yarmouth?—A. Yes.

Q. Do you take your own lobsters to Yarmouth?—A. Yes.

Q. What distance are you from Yarmouth?—A. Somewhere in the neighbourhood of five miles.

Q. After the month of December passes do you still continue fishing through January and February?—A. Usually, the full season; speaking for myself, after I lose my in shore gear I do not put anything out until February, but speaking as a whole, the fishermen fish the whole season.

Q. Do they fish as actively in February and March as in the other months?—A. They do not, on account of the weather; we have fearful gales on this coast.

Q. What loss of gear do you meet with?—A. Well, speaking for myself, I know exactly what I lost last year. I put out 211 traps and I picked up in all 130.

Q. That would be an excessive loss, you would not average that every year?—A. Oh, no.

Q. In some places we find that most of the fishermen tell us they expect to have to renew their gear every three years, would that be the case with you?—A. I think so.

Q. What do you estimate as the value of a trap with its gear?—A. There are different ways of taking it; you mean with the gear, the rope? That will depend on the depth of water, if we are out where we put the winter gear we have to have 30 to 45 fathoms of rope, and if it is in 10 fathoms we do not require as much rope. The average cost of the trap would be about \$1, and I think we put considerable work into it for nothing at that.

Q. The use of gasoline boats is pretty general now, is it not?—A. Yes.

Q. As I understand it, you slack off in February and March?—A. On account of the weather.

Q. And you begin again about the end of March?—A. We keep following our gear up and baiting it as often as the weather will allow us, we do not slack off entirely.

Q. When do you begin full operations again?—A. After the 20th of March.

Q. Do you find the lobsters coming in again then from off shore?—A. Yes.

Q. When they first strike in how do they run?—A. They are a good size.

Q. What percentage of under-sized lobsters do you get?—A. You mean under 9 inches?

Q. Yes?—A. That is hard for me to say; I should think it would run with me that it would be about one-half, that is in the number.

Q. Do you sell by weight?—A. By weight, that is of late years.

Q. Do you ship your own large size lobsters to market or sell them to a commission merchant or agent, or do you ship direct as a rule?—A. Unless I have a broken car, then I sell on the wharf.

Q. Do you ship to New York at all?—A. No, sir.

Q. What has been the average price received from Boston in recent years? Does it vary very much?—A. Oh yes, I have not been long in the business, only about 5 or 6 years, and it has varied anywhere from \$40 down to \$12 in different parts of the season and in different years. I think \$44 is the highest price at which the lobsters have sold since I have been in the business, but some of the people I am representing can tell of bigger figures than that.

Q. What would you give as the average earning of an active fisherman from the lobster industry?—A. That is a difficult question to answer. There are lots of fishermen, and many are more daring than others.

Q. But you would know what a man's average earnings is to-day from the industry?—A. Probably \$400 or \$500, that is a man who is a fully fledged fisherman and keeps right at it.

SESSIONAL PAPER No. 22a

Q. I suppose the most of those who fish lobsters here are full fledged fishermen?
—A. Yes.

Q. Well, in the gulf you find a great many men fishing lobsters who are farmers?
—A. There are a few so-called farmers here, who keep cows, if they did not they could not live; I am one of those myself, I do not deny that I keep cows, the fact is this year I had to keep cows to pay my lobster bills.

Q. Were you canning on your own account or what was it?—A. No, I had a poor season, I had lost all my gear, the prices were low and we had poor weather.

Q. Is the lobster fishery the most prosperous industry here?—A. I do not think there is anything better, taking one year with the other.

Q. But outside of that, what would you say about the cod fishery, the mackerel and the herring fishery?—A. I could not say, I should have to go back to the farm myself instead of to the other fisheries.

Q. How do prices this season compare with those of past seasons?—A. Well, the factories were lower.

Q. Do you know the reason the price was lower; was any reason given you for that?—A. Only the talk among the fishermen who were saying that the packers had combined or had formed a trust.

Q. How are your fish taken to the factory, by smack, or do you deliver them yourselves?—A. I deliver mine myself.

Q. Last year you got a better price for them?—A. Yes, nearly double.

Q. And was it a good fishing season too?—A. Yes.

Q. Now as to the matter of regulations, what do you think is the best thing to do under the circumstances? I suppose you admit that the fishery is failing?—A. Oh I do, under the present circumstances.

Q. What in your idea is the best thing to do to protect the fishery?—A. To protect the fishery or the fishermen?

Q. The fishery first?—A. To protect the fishery? Shut off short lobsters.

Q. That is enforce the law you mean?—A. Enforce the law to protect the fishery, it may drive some fishermen out of the business to some other employment.

Q. But it would not do it for very long would it?—A. I suppose if the law were enforced the lobsters would come back, breed up, and finally become plentiful again.

Q. It is known that the lobster will grow 2 inches every year, he grows that much at the time he sheds his shell.—A. Then that shows plainly enough that if we left all these 7 inch lobsters alone this year we would get them 9 inches next year.

Q. Where they have impounded the lobsters in large aquaria they have found out that they grow two inches in a year. You think if the fishermen would suffer for a season or two they would benefit by it afterwards?—A. No doubt the fishermen would suffer until it got back to what it was a few years ago.

Q. How would it affect the canner by enforcing the 9 inch limit?—A. That would depend on the Boston market; if the Boston market asked for a 9 inch lobster they would have to go out of business, but it might affect us if the canners shut down; when the prices were high for the 9 inch lobsters in Boston, it would be all right for us, but if the canner shut up we might have to throw our 9 inch lobsters away because there might be a time we could not get rid of all of them in Boston.

Q. Would you advise any shortening or lengthening of the season?—A. That puts me in a hard place, as I am representing those who are in favour of yearly fishing.

Q. That is all the year round?—A. Yes, all the year round and a 10 inch limit.

Q. A 10 inch limit and yearly fishing is what you want?—A. Yes.

Q. That is practically what they do in Maine is it not?—A. 10½ inches in Maine.

Q. That matter was discussed at a meeting of the fishermen was it?—A. At a meeting last night, of course there was not a large meeting, but it was discussed by those who were there and they cast a vote to that effect, but whether they were all solid thinking men on that I would not say.

Q. However they passed that resolution, that is their idea, they want all the year fishing and a 10 inch limit?—A. Yes.

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Q. Can you give me any idea of the practice in the past with regard to the berried lobsters? In a very great number of places where we have been we find that the berried lobster has never been protected, they are brushed a good many of them.—

A. I have never known a canner to take one, and I have never known a fisherman to strip one; when I find one I handle her with care and put her over the side at once.

Q. Do you think there is a better disposition on the part of the fishermen to protect and save the lobster than there used to be?—A. Really, in my opinion I think there is. I think I never knew of any one disposing of it in any other way, but really I think they know that the lobster fishery needs protection.

Q. And they must help to protect the fishery in that way?—A. Yes.

Q. Is the destruction of immature lobsters injurious?—A. Do you mean by catching them?

Q. Of course, that is the only way.—A. I think it must be.

Q. Have you any idea of the percentage of egg-bearing lobsters you will find?—A. I have not kept any record, and I have not any idea.

Q. It is not a large proportion is it?—A. No.

Q. And it would not be a very serious loss to the fisherman to return them to the water immediately?—A. Not in money, it would not amount to enough to pay for a man's shoes.

Q. What is your opinion about the matter of the trap, do you think that the taking of small lobsters could be regulated by insisting on a certain legal trap with a fixed space between the slats?—A. I do not think there is any doubt but what you could build traps so that all of them below the proper size would find their way out, because they are very active in hunting their way out of the trap. I have found them nearly out when hauling the trap.

Q. Some fishermen hold that once the trap is disturbed the lobster will not try to get out?—A. I suppose that is a matter of opinion. I know that if I put a trap in the water with the laths wide apart I do not get as many small lobsters, it is a question whether they get in or not.

Q. Is there a tendency in recent years to narrow the slats?—A. There has been with me I know.

Q. What do you think of that matter of licensing canneries, do you think that an increase in the number of canneries licensed would necessarily mean an increase in the amount of fishing done? It is generally supposed that the idea in restricting the number of canning licenses was in that way, to restrict the fishing. Do you think it has had that effect?—A. No, I think not, I think about everybody on the coast that could fish is fishing now.

Q. What do you think of the present policy of the department in issuing co-operative licenses to fishermen to can for themselves? Do you think that it is a way that enables a fishermen to get fair play?—A. That would be a question I think of whether you could get fishermen enough to hold together.

Q. The number of fishermen has been fixed at 15, it is supposed because it takes 15 members to form a station of the Fishermen's Union under the Provincial law, do you think that a smaller number would be more workable?—A. That depends altogether I suppose, on whether there was capital enough behind them to enable them to run it and make a success of it.

Q. What would you think of insisting on the product of the cannery being inspected? You know the tendency to-day is to inspect all food products?—A. I do not quite understand.

Q. That is to say, have the goods, the canned article itself, inspected and branded?—A. I do not know how to answer that.

Q. Have you any wish to say anything about the matter of hatcheries and pounds and those things?—A. I do not know that I have, because I haven't experience to know whether they would be a benefit although I think lobsters hatch in our waters.

SESSIONAL PAPER No. 22a

Q. Have you any idea of the hatching out season?—A. I think they hatch at all seasons of the year.

Q. I do not think that has been the experience, I think they are supposed to hatch out during the very warm weather.—A. I will tell you why I think so, I often, I cannot say just what time of the year it was, but I have experienced it, I have pulled up traps and found what I have proved to be in my estimation, young lobsters, white in colour and very small in size, and I take it they must have been spawned there or they would not have been so small.

Q. I think the young lobsters when they hatch out come to the surface of the water and swim forward, it is the only time in their lives they go forward, for about six weeks, and they then furnish one of the principal foods for the mackerel; after that they go to the bottom and begin to crawl backwards and keep on shedding their shells every few days so that they grow in the first year 3 inches. Now is there any particular statement you would like to make, if so I will be glad to have it taken down?—A. I was charged to come here as a delegate and plead for a season of yearly fishing and a limit of 10 inches, that is all the resolution the meeting passed.

Q. Is there any illegal fishing here to your knowledge, fishing after the close of the legal season?—A. Well, no, not as a general thing.

Q. Of course, we understand?—A. I have been guilty of placing a trap out and placing a net for myself, but not to sell them.

Q. That would not have any bad effect on the fishery I suppose?—A. No.

Q. Do you think there is any combination on the part of the packers to keep prices down?—A. Honestly I do this last season.

Q. Do you think the fishermen generally would make more money if they were canning on their own account?—A. That is a hard question for me to answer, I have not experience enough about the canneries to know whether they would or not.

Q. Some fishermen have expressed the opinion that they could not, that knowledge of a good many other things is required besides catching fish?—A. That is right, too.

Q. Do you think there has been any noticeable decline in the average size of the losbtters caught in your neighbourhood for the last ten years?—A. I could not say that, because I have only been 8 years at it.

Q. What do you think about different size limits and different seasons in adjoining sections?—A. That would encourage me to go to the Lurcher, and squeeze around to Digby County with my lobsters and I suppose it would make other fishermen do the same.

Q. Do not the fishermen in other districts make complaint about that?—A. I did hear complaints about it in this district, and I think it is an unfair thing.

Q. But it is the natural consequence of having different size limits and different seasons in different districts?—A. Yes.

Q. Do you not think, that as far as possible, these seasons and limits should be uniform?—A. Yes.

By Mr. B. B. Law, M.P.:

Q. Will you tell the Commissioner what led the fishermen to ask for the 12 month season and the 10 inch limit?—A. I believe, Mr. Law, it was with a view of bringing up the Boston market and protecting our fish at the same time. We thought that in a few years from now it would give us a better living than to kill them off at two or three years as we are going now.

Q. Was it on account of the American smackers coming over here this year and fishing on the very same ground that our folks have to fish on when you commence your season on December 15th?—A. That was originally what started it, and we thought it was only right we should be able to go out and catch a few lobsters while they were taking them away from us.

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Mr. LAW.—I would like to call the attention of the Commissioner to that fact that this year American smacks are fishing on the very ground our fishermen will have to take up on the 15th of December when the season opens, and the only way they can protect themselves against that is to have an open season for 12 months instead of sitting idly by and seeing the American fishermen take the lobsters from them. I think it will be found in some of the evidence that is to come that some of our fishermen have sent out smacks.

By the Commissioner:

Q. It is only lately the Americans have commenced doing that?—A. I have never seen them, but I have heard of them, and I have heard that they are making big money, \$90 and \$100 for each man on the trip.

Q. That has not been going on long?—A. I think this is the first season.

Q. I have heard it is possible that others will be here next year?—A. We may have 40 or 50 here next year but I hope not.

Q. How far off shore, off the nearest land do they go?—A. I should think it is 2 miles.

Q. Then that is within the limit?—A. In our line fishing 5 or 6 of our boats go to the Lurcher, 15 miles.

Witness discharged.

CHARLES FEVERS, fisherman, Yarmouth Bar, called and sworn:—

By the Commissioner:

Q. Do I understand you have a statement you desire to file, Mr. Fevers?—A. Yes. I have here the minutes of a meeting held at Yarmouth Bar on the night of September 11th, 1909, which I will put in as follows:—

“Lobster fishermen met at the Bethel to discuss the lobster question. Meeting was called to order by appointing Charles Fevers chairman, W. E. Mg. Gray, secretary. After a lengthy discussion a resolution was laid on the table that whereas the American smacks are beginning to fish on our ground during our close season, that we petition the Government to remove our close season altogether and give us a 10 inch limit.

Resolution passed unanimously after which Charles Fevers was appointed to lay the same before the Commissioner now in Yarmouth.

(Signed) W. E. MG. GRAY,
Secretary.”

Q. What particular section of that coast is that in?—A. Yarmouth Bar.

Q. That is between Yarmouth—A. And the Cape.

Q. And the place represented by the preceding witness?—A. Yes.

Q. What length of coast does that represent?—A. It represents the bar itself, I could not exactly say but I should judge the bar itself is something like one mile long, and the fishermen that I represent extend over and cover a distance of about 5 miles from the upper end of Overton to the lower end of the Cape.

Q. How many boats are there?—A. Something like 50 boats are engaged in the fishery in that district.

Q. Is there any station of the Fishermen's Union there?—A. We have no station of the Fishermen's Union.

Q. You begin fishing when?—A. On the 15th of December.

Q. And you prosecute your fishery actively up till when?—A. Up till the end of the season, the 1st of June.

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Q. Do you carry it on actively all the winter?—A. Yes.

Q. Whenever the weather is fine enough?—A. Whenever the weather will permit.

Q. What is the most stormy weather you generally meet with?—A. It varies.

Q. How many days a week do you lose?—A. I think, taking from the 1st of January till the last of March, we will probably average two hauls a week.

Q. And when you begin there on the 15th of December, what class of fish do you find?—A. I might say that there are really two classes of fishermen, there is a class of fishermen that fish inshore, and they take their chances, they set a quantity of pots out, and if there comes a gale of wind that breaks them up, well and good, but if the season happens to be fine at the first opening of it they do well inshore. There is another class of fishermen that put their pots at once in the deep water, with very few inshore, the men that fish inshore get a larger percentage of small lobsters, and the men who are fishing off shore get a larger percentage of large lobsters.

Q. What is the percentage of what we call market lobsters that the inshore men get?—A. The percentage possibly, as near as I can judge inshore, well I will take one man in particular that always makes a business of that, and he will have possibly one crate of large ones, one crate of 9-inch lobsters, and one crate under 9 inches; while off shore they would average perhaps on my part of the coast two crates of 10½ and over, one crate of 9-inch and lots of times you could take in your hands what I would have under 9 inches when fishing in the winter and in deep water.

Q. What about the summer and spring months?—A. There is not as much difference, but there is still a large difference between the catch inshore and the catch off shore, the off shore catch runs larger.

Q. The inshore men will be fishing in what depth of water?—A. Five to twelve fathoms.

Q. And the off shore men?—A. From 12 to 32 fathoms, that is about the deepest they get in off Yarmouth bar for fishing.

Q. What number of traps do you fish in that depth of water?—A. 25 and 30 is the highest. 25 to 30 traps are all that you can haul.

Q. Do you use the same style of trap there that you do inshore?—A. The same style of trap, yes.

Q. In your experience is there much difference in the condition of the fishery now compared with when you began fishing?—A. Yes.

Q. In what way?—A. The lobsters now, in my opinion, do not appear in anywhere near the same quantities they did when I commenced fishing.

Q. You require more gear to keep up your catch?—A. More gear and better gear, and then I cannot keep up the catch.

Q. How many years have you been engaged in lobster fishing?—A. I fished lobsters some 30 years ago, and I have been steady at it now for about 15 years.

Q. Thirty years ago when you began there was very little lobster fishing done?—A. Very little.

Q. And there were no canneries here then?—A. No, I do not think so.

Q. They have been introduced since?—A. Yes.

Q. Who were the first to introduce canning here, local men or people from Maine?—A. I am not prepared to answer that question, the first cannery introduced in our locality was introduced here by a Yarmouth man, but I have forgotten his name.

Q. Now, as to the matter of the traps, what is your experience about that, do you think there is a tendency to lessen the space between the slats since you began fishing, or do you make them with the same space?—A. My experience was years ago, and it is a good deal the same to-day, that even for large lobsters a trap built with the laths about the distance of the thickness of the head of the hatchet apart will hold the large lobsters better than the traps with the laths quite a piece apart. I always build my traps with the laths about that distance apart to prevent the large lobsters poking their claws through between the laths and getting them caught; you have to be very careful

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in taking the lobster from the trap or if he has his claw caught in that way he will shed it himself.

Q. Broken and mutilated lobsters are no use for the export trade?—A. Not with both claws gone.

Q. Will they tolerate him in the Boston market with one claw gone?—A. Yes.

Q. Have you any experience with the berried lobster? We have been told in many places that there is no use trying to export that lobster, that she is more delicate than the others, and will not stand the crating and handling and the delay on the way to market, and that if she is brushed off, especially if the eggs are brushed off roughly, she will die in transit?—A. Back in the first of my fishing I can remember men that brushed those berries off, and the lobsters would die, they would not stand it for any time. But I think as long as the berries are not disturbed that the lobster will stand pretty nearly as much handling as the other ones.

Q. Have you ever noticed that as the season advances the eggs look riper? We suppose that the lobster spawns in July and August, during the warm weather the eggs are ripened partly in the warm shoal water; have you noticed that the eggs look riper, and that when they get thoroughly ripe you can see the eye of the young lobster beneath the covering?—A. I have noticed that as the season advances the seed is larger, but still I have got lobsters at the beginning of the season that almost looked ripe for spawning.

Q. In your neighbourhood the fishermen all own their own boats and gear?—A. Yes.

Q. And they are all regular fishermen who devote their time to the various branches of the fishery?—A. Yes, very few do anything else but fish for a livelihood, they have not anything else to fall back on.

Q. Is it the case that the fishermen trust more for their cash earnings to the lobster fishery than to any other branch of the fishery?—A. Yes.

Q. Do you do any mackerel trapping on your part of the coast?—A. There is some done, yes.

Q. There used to be more done than there is now?—A. There used to be more than now, I think there are only two or three traps now used at the most.

Q. What do you think of this matter of canning licenses, do you think an increase in the number of canneries would necessarily mean an increase in the amount of fishing done?—A. In some instances. Some years ago I was talking with a party about going to a certain part of the coast which is not generally fished and the facilities for transporting the lobsters were not good and where we would have to can them, but he said, 'We could not get a license.' In such cases, where new localities for business were being opened up, of course there would be an increase in lobster fishing.

Q. At present in those localities there is not much fishing done, is that the idea?—A. That is the idea, but in localities where canning is already done I do not think it would increase the number of men fishing.

Q. What is your idea about registering or licensing the fishermen, is there anything in that?—A. I think if the Government would strictly enforce the law connected with it it would be a good plan.

Q. Do you think that the fishermen having registered and signed a form of that kind would be more likely to observe the law than they are at present, and do you think it would lead them to inform on their neighbours who are violating the law?—A. It should not be left altogether to the fishermen, some men are bad enough to do wrong, even after they have taken out a license, and if I inform on that party he is bad enough to cut my pots adrift or smash my boat.

Q. You think that if there is any information to be lodged it would be better for the departmental officers to do it than to expect the fishermen to do it?—A. Yes.

Q. Has it been the practice to take to the cannery all the small fish that are caught?—A. For some time past it has.

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Q. Have you any idea as to the usefulness of such things as hatcheries or pounds?
—A. I think I have an idea, I am certain it would be a great benefit to the fishermen on this shore; during the months of July and August the condition of the water on our coast is right for hatching lobsters.

Q. Then you would advocate the introduction of hatcheries wherever it is possible to do it?—A. Yes, by all means.

Q. Have you ever remarked as to the size of the berried lobster? Have you ever seen any very small ones?—A. Not as a custom, the smallest one I have ever seen was about 9 inches but I very seldom see one less than 10.

Q. As a rule they are a fair run of lobsters?—A. Oh yes.

Q. How do you think the strict enforcement of the present regulations would affect the fisherman and the canner, that is with regard to the 9 inch limit?—A. I understand; of course I am not well enough posted in the canning business, and probably I cannot see far enough ahead to tell the effect, but I think it would be the best thing that ever happened to the fishermen themselves.

Q. You think that ultimately they would benefit by it?—A. Yes.

Q. Do you think there are any facilities along the coast you represent for establishing pounds? Some people prefer pounds sometimes to hatcheries?—A. I am not positive, but I think there are.

Q. Are you prepared to give us any idea of the percentage of egg-bearing lobsters you see?—A. I should judge that I have, taking the season through this year, seen very nearly 5 egg-bearing lobsters to the hundred.

Q. That would be quite a large percentage. Which branch of the lobster industry do you think the more remunerative to the fisherman and the best calculated to maintain the industry unimpaired, the canning, or the live lobster trade?—A. The live lobster trade.

Q. Do you think there has been any combination on the part of the packers to keep prices down?—A. Yes.

Q. Do you think that combination was of old standing, or was it last season you got that impression?—A. I think before this last season there was considerable opposition among the cannerymen, so much so that it caused them to come together and agree to give so much and no more.

Q. What do you think of the present policy of the Department in issuing licenses to any group of 15 or more fishermen who apply for a canning license? Do you think that policy is one that should be developed and continued?—A. I think it is; but I think that the number of fishermen required is large on account of the conditions to which I referred a short while ago, where a few fishermen might wish to start in a new locality, they might not be able to get that number of men together, but it would give a few a chance.

Q. Do you think that number might reasonably be reduced from 15?—A. I do, yes.

Q. What do you think of having different size limits and different lengths of fishing seasons in neighbouring localities? Do you think it is wise, or do you think that as far as possible they might be made uniform?—A. I think they should be made uniform as far as conditions will allow, there should be as few dividing lines as possible.

Q. Have you ever fished lobsters anywhere else than on this shore?—A. Only on the Nova Scotia shore.

Q. Have you fished very far from here?—A. I have fished over to the northward on what we call Trinity, about 8 miles from the land.

Q. What is the most active season of the fishery with you, what is your most profitable time?—A. It depends on the weather, when it is good weather to fish at the opening of the season I can make more money then than at any other time of the year for a short while, but on the whole with fine weather I think from the middle of March to the middle of April is the best.

Q. When is the market for live lobsters at its best, do you think?—A. Generally in February.

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Q. Do you export your own live lobsters?—A. Yes.

Q. You bring them yourself to Yarmouth and export them by steamer from here?

—A. Most of them.

Q. Is your percentage of loss great?—A. Not in the winter, but in the summer, at the last of our season sometimes we lose a few of them through the heat, but at the bar and at other places where I have done some lobster fishing there are good facilities for keeping the lobsters, that is we can get them into smooth water, good salt water, and take care of them.

Q. I do not know there is anything else—I particularly think of to ask you about, but if there is anything else you would like to say, or if you have any suggestion to make I would be glad to listen to it.—A. I would like to say, with your permission, just a few words about the American smacking; I would just like to explain to the different delegates present all that we know about this new departure. It appears to me, and it appears to the fishermen that I represent, that this is a case where it does not matter what our different opinions may be about the old law, of course we all have different opinions of what we want and it is right for one man to express an opinion as well as another, but when the American smacks come to fish on our shore during our close season, even although they are outside the 3 mile limit they are on the same ground that we fish on during the open season, and if we are to fish for one six months' season and take say everything from 8 inches up, and then the American smacks come right on at the end of our season and commence to fish, and continue at it for all the rest of the summer months, taking everything over 9 inches, which is the lawful lobster in Massachusetts, and not only taking the 9 inch lobsters, but taking our seed lobster which is worth \$2.50 at the hatchery in Boston. If they take away everything over 9 inches and the seed lobsters how long is it possible for the fishery to stand it, and how long would it be possible for our men, who depend altogether on that business to make a livelihood? If that goes on a very few years, it will not be over two or three, we will be compelled to leave our country because we cannot get a living here, and that is something we do not wish to do, especially men of my age; there are a lot of middle-aged men here who are getting too old to move and do not want to go to a new country to seek a living, we are all fishermen that depend on fishing for a living and it is impossible for us to do anything else. There are a certain number of men who have a trade or something else to which they can return, but all the men that I represent, with the exception of a very small percentage, all that are employed on those 50 boats, with the exception of not more than 5 at the outside, depend upon the fishing. Now, I would like to say one thing farther, and that is that it is not the Americans that have come in here to catch our lobsters, but it is the Nova Scotian fishermen who are coming here and bringing the American vessels, and introducing them to our shores. Now take this vessel that is here at present, she has been in Yarmouth harbour, I have seen her and the boys aboard her; she first started to do business off the harbour bar. But although there are Nova Scotian fishermen aboard her now, after this season they will not need our fishermen to take her around our coast, the American who is aboard her will have learned our shore and everything about it, and next season he will not need our men, and he will probably get a crew from the other side. If we have to stay on the shore and watch these American vessels fish our ground during the close season, we simply will have, in self-defence, to help ourselves. The point I wish to make is that we want the government to take action some way, I will not pretend to say, make it a 9-inch or a 10-inch limit, although I am here to say that I represent a 10-inch limit, that is what I was sent for, but one thing that looks to me to be a mistake, is to have an open season the year round. As far as I am concerned, personally speaking, I would leave the limit with the government, or with a Commission appointed by the government, to say what they think is best. But with regard to the American smack business I think it is wrong for Nova Scotia fishermen

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to introduce the American people here, and to teach them our shores, and it should be put a stop to. Now, one more point and then I am through, and I am thankful to you for this privilege. I know Nova Scotia men who are selling lobsters in Boston, and one of them told me that he stood alongside a man this spring who applied for a smack and heard the conversation and the smack-owner said to the man who applied, 'My dear man the lobsters on the Nova Scotian shore are inside the 3 mile limit, and I am not going to let you have a vessel to poach in Canadian waters and have my vessel seized.' That is the way with the American people today, they are ignorant of the fact that the best fishing is outside the 3-mile limit, on Trinity Shoal, back of the Cape Shoal. It appears to me that as soon as the American people are educated to the fact that there is good fishing outside the 3-mile limit, that minute we will have the American fleet on this coast. I hope every fair-minded man will look at it squarely and will realize that it is a fact our own fishermen brought the Americans here, and if there is a remedy to at once provide it so that it will stop any more of our fishermen from introducing these American smacks.

The COMMISSIONER.—Your remarks will be laid before the Committee just as you have made them, and I think you have put the matter very fully, very clearly and very distinctly, and it will be for the gentlemen composing the Committee to deal with the question. No doubt some steps will have to be taken to deal with the condition to which you have called attention.

Witness discharged.

GEORGE H. GARDINER.—I agree with the last speaker right straight through, I think that he put the matter very clearly.

Mr. H. C. BEVERIDGE.—I do not desire to give any evidence.

Captain GEORGE M. CUSHING, called and sworn:—I will tell you what I have done in the old days when I was fishing, I hauled my pots one day and I got enough market lobsters to buy a yoke of oxen with what I got for them. Well now, how many days would I have to haul now in order to do that? I hauled the whole of this spring and did not get as many as I got in the one day then. I tell you we have, as our member says, to have something done in order to protect us; we will be all right in the lobster fishery if we only have protection, and I do not think it will make much difference about the canneries, because I would not go lobstering more than 40 or 50 years longer myself.

By the Commissioner:

Q. Would you give us some idea as to the best shape that protection should take? —A. I would have the fishing season right through the 12 months with a size limit of 10½ inches. That would protect the lobsters enough. I tell you what I think, perhaps I am wrong, but I think that if the canner would buy the 9 inch lobsters he could make it pay; it ought to be that the canner should have all the 10 inch and keep the whole industry in the country, and not ship to New York and Boston, there are a great many lobsters lost that way, and if the canners would take them it would be a benefit to us. I would go in right now to stop these 9 inch lobsters going in to the market altogether; if the canners would say that they would be fair with the fishermen I would rather they would have my 9 inch lobsters than to send them across to the other side. I think I was the first man that ever set a lobster trap on this shore. I had 23 traps, and out of those traps I shipped 73 crates of big lobsters to Boston, and that is more than I ship now in two years. That will show you how the decrease has gone on.

By Mr. Law, M.P.:

Q. How many years ago was that, Captain?—A. About 25 years ago. There was a party told me that one of the men on board this American vessel that is fishing on

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our ground here now told him that they made three trips and cleared between \$80 and \$90 per man on the average, and I have also heard that they had been out for 2 weeks and took 1,750 large lobsters in the Seal Island ground. They have been entering and clearing at Woods Harbour every day I understand.

Witness discharged.

Mr. WALL, representing the Roberts, Simpson Company, Mr. POOLE, representing the Mud Island Lobster Company, who were present, decided to give evidence.

The Commission adjourned.

YARMOUTH, September 14 (8 p.m.)

A. E. CARLAND, fisherman, Pubnico Head, and Secretary of fishermen's meeting, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. About 8 years.

Q. You never fished lobsters before that?—A. No.

Q. Were you in any way connected with the lobster industry, in a cannery or anything of that kind previous to commencing fishing?—A. No.

Q. How is the lobster fishery carried on with you, is it pretty well off shore?—A. Yes, it is pretty well off shore, and inshore also.

Q. You begin to fish at the commencement of the season on the 15th of December?—A. Yes.

Q. How many traps do you fish generally per boat?—A. The average will be, I would think, from about 125 to all the way—well some fish 200 and some 300 to a boat.

Q. A man fishing in shoal water will fish more traps?—A. Yes, those who fish in deep water have farther to go, and fish fewer traps.

Q. In your case when you begin to fish in what depth of water do you start?—A. It will range from 5 to 10 fathoms.

Q. How far off shore is that?—A. Some go deeper than that, up to 20 fathoms.

Q. How far off shore would the bulk of the fishing be carried on?—A. That will depend on where you are located, if you are located on the islands, the islands there all have fishermen on them, and they would be from 8 to 10 miles off the shore.

Q. That is outside the 3 mile limit?—A. No, that will be in the bay.

Q. There are headlands near?—A. Yes.

Q. How long do you fish in that depth of water? In that region do you fish right through the season in the same depth?—A. Yes, right through the season.

Q. Do you continue to fish all through the season, or is there a time when you let up?—A. Oh, yes, during 1½ or 2 months there is practically no fishing.

Q. When is that time?—A. That will be February and part of March.

Q. Is that the rough season?—A. A rough season, too much ice, and there is such a desperate loss of traps and gear that the fishermen think it pays them better to take their traps ashore and wait until the spring.

Q. Then the bulk of your fishing in the early part of the season is done in December and January?—A. Yes, there is probably only 3 or 3½ months fishing in the whole season.

Q. When do you begin again, in March?—A. Yes, well this spring we commenced about the 28th or 29th of March.

Q. And you fished then up to the end of May?—A. Yes.

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Q. Are the most of those fishermen who are engaged in this lobster fishing also engaged in other kinds of fishing afterwards?—A. Yes, most of the fishermen engaged in it are also engaged in the deep sea fishing.

Q. They have no other calling than that of fishermen?—A. There are a few that have other callings and do not go to the deep sea fishing, farmer fishermen.

Q. How do your fish run, what proportion of them are shipped abroad to the market alive?—A. What proportion of the quantity do you mean?

Q. Say in number, out of every hundred fish, how many are sold to the canner and how many are shipped abroad?—A. There is about—more than one-third of mediums and large shipped, according to where you fish; take it right through there is not one-half.

Q. From which branch of the fishery do you derive your principal revenue, from the sales to the packer or from that portion of it that you ship abroad?—A. Well now, that is coming pretty close. I think there would not be much difference when you are through, perhaps we get more from the factory than from the live lobster. The year before we got from the packer about twice as much as we got for what we shipped; we shipped about one-third in value.

Q. Then there is about two-thirds in value sold to the packer?—A. Yes, but they are not nearly the same in number.

Q. As far as you are concerned, which is the most valuable part of your fishery, the sale to the packer or the export business?—A. Take it right through, do you mean?

Q. What proportion of your total catch will be below 9 inches, that is the legal limit, we want to find out whether the regulations are observed at all or not, in fact we know they are not?—A. I think there is a shade over one-half below the 9 inches.

Q. How do you sell your fish to the packers, by count or by weight?—A. By weight.

Q. What do you receive?—A. Well, it is according to the season, some seasons we get 3 cents a pound, some seasons 4 cents, and sometimes 5 cents a pound.

Q. You did not get that this last season?—A. No.

Q. What was paid this last season?—A. From $2\frac{1}{2}$ to 4.

Q. By the way, is there any station of the Fishermen's Union where you live?—A. No.

Q. Then the price rose towards the end of the season this year, did it not?—A. Yes.

Q. What number of canneries are operating in your neighbourhood?—A. Well, taking in the Tusket Island, there are factories at Abbot's Harbour, a large factory, and one at Ram's Ledge.

Q. To whom do they belong?—A. They belong to G. H. Shand and Company, they have both of those, then take it in the Tusket there are a number of factories there, George Bates, H. B. Cann, James S. Gray, William Seeley and John Shand, who moved up last year.

Q. So that there are quite a number of canneries?—A. Yes.

Q. Have they been operating for long?—A. Yes.

Q. Are they large canneries?—A. Yes.

Q. Have you any idea of their average pack?—A. I think this one at Abbot's Harbour packs around 3,600 to 4,000 cases in the season.

Q. That is a large cannery?—A. Yes, it is a large cannery.

Q. Have you any idea of the number of boats supplying that cannery?—A. The number of boats, do you mean buyers for them?

Q. Yes, the lobsters are all smacked to them, are they?—A. Yes, there are about 17 or 18 boats altogether.

Q. I suppose these smacks are sent out by the different canneries?—A. Yes.

Q. Is there much competition? Do the different smacks offer different inducements?—A. Oh, yes.

Q. So that, in your case, do you think there is any combination among the packers to keep the price down, or is there competition?—A. I think there is competition, there

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has been of course, when they kind of run out of lobsters they cannot keep the price down and there is competition both in the price and in the cull.

Q. That is they cull differently?—A. Yes.

Q. Are some more strict in culling than others?—A. Yes, that is how the price gets started.

Q. How do you ship your market lobsters, do you ship them yourself?—A. Yes.

Q. Direct to Yarmouth and Boston?—A. Yes.

Q. How has the market price held up this last year?—A. Last year it was not as good as it has been, but it was very good.

Q. Did the fact that they took 9-inch lobsters cause a drop in the Boston market, do you think?—A. It caused the price of the big ones to drop, I think it did.

Q. Have you noticed whether as the season advances, as you get towards the end, you get more small or berried lobsters?—A. Yes, more berried lobsters.

Q. What is the percentage of berried fish?—A. Very small, all the time I have been in it. In the 8 years I have not come across more than a dozen or 15 in all the time I have been handling lobsters, up till the end of May, but you will get them at that time of the year, I never get them before then.

Q. What has been the practice with regard to the berried lobsters?—A. They heave them away.

Q. Has it ever been the practice to strip them along this coast?—A. Yes, they have been stripped.

Q. Are the packers refusing to receive them?—A. Yes, and I think the fishermen are enlightened enough themselves to look after them.

Q. The disposition of the fishermen in that regard is much better?—A. Yes.

Q. Has there ever been any attempt to enforce the size limit?—A. No.

Q. You take everything you catch to the cannery, and there they make no bones about taking it?—A. Yes.

Q. How would it affect you if the present size limit of 9 inches were strictly enforced?—A. It would mean starvation to most people down this way.

Q. But that would only be for a season or two, do you not think the ultimate effect would be good?—A. Yes, I think it would because if it had been done ten years ago I think our lobster fishery would have been on a much better basis today.

Q. There is a decrease you think in the condition of the lobster fishery, it is failing?—A. Yes, I think it is, and still I do not know, when you consider there are more people in the business now than there were then.

Q. That is what is keeping up the supply?—A. Yes.

Q. Do you not think you need more gear and more application to get the same quantity of lobsters now?—A. Yes, I think so.

Q. Of course you began late, so that you have not as much experience as to what the fishery was years ago?—A. No, but we have heard it from the old men who were fishing then, and who told us what it was in their time.

Q. Do you fish the same sort of trap you did in the olden times?—A. No.

Q. You use the patent trap?—A. It is not a patent trap, but we call it a bedroom trap.

Q. Some call it the parlour trap?—A. It is on the same principle.

Q. The idea is to prevent the lobsters getting out once they get in?—A. Yes.

Q. Do you think there is a disposition on the part of the fishermen to put the slats closer together than they used to?—A. Yes, they have them closer together.

Q. What is about the distance you set them, how do you make your gauge to establish that distance?—A. We put them about that far apart (illustrating) so that they cannot pass through.

Q. Do you think if we established a standard of trap and insisted on the slats being a certain distance apart it would prevent people catching too many small lobsters? Do you think we could regulate the capture of lobsters in that way?—A. There was one year we did put them 1½ inches apart and it did not make any difference at

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all, we did have small fish all the same, but we did not catch as many, they came in, but after they had eaten up the bait they would crawl out, that is what they will do if you leave them long enough, they will go out when the bait is all gone.

Q. I understand that you recommend reducing the size limit to 7 inches by this memorandum?—A. Yes.

Q. What is the idea in doing that?—A. Well, the idea is that they do not want to close the factories; practically an 8-inch or a 9-inch law would close the canneries, and that would practically close the fishery in regard to making it pay the fishermen; they think that a lobster under 7 inches is no good to the canner, nor is it any good to the fishermen in a way, because they do not weigh anything, and the few cents they would get for the lobsters under 7 inches would not make it worth their while to take them, it would be better value to them to let those small lobsters go and to protect them until they become larger, that was the idea.

Q. A good many fishermen that we have heard, think especially in view of the fact that these American smacks are going to fish offshore here, it would be better to establish a 10 inch limit and do away with the close season, so that they could fish all the year round, what do you think of that plan?—A. I do not think it would be any good to us in Pubnico, it would cripple the industry around Pubnico.

Q. You say that the practice with regard to the berried lobsters is to put them back in the water, and that that is carefully followed now?—A. Yes.

Q. Apart from that you take, as a rule, to the factory, everything that is caught?—A. Yes.

Q. Except those that are shipped abroad?—A. Yes.

Q. Do you ship those over 9 inches, or only over 10½?—A. We ship the 9 inch ones too, that is a matter of price; when the American market is glutted we sell the 9 inch lobsters, a good many of them to the cannery, and when the market is better they are shipped.

Q. Do the canners along your coast ship any live lobsters themselves or do they can everything they get?—A. I think they ship some.

Q. In some places we find the canners shipping some of the large lobsters?—A. Well, yes, they do.

Q. Do the canneries operate all winter?—A. Well, they do not operate all the winter, they do not operate in the season when the fishermen are not fishing.

Q. What do they do then, do they just can once a week, or what do they do?—A. Oh yes, they have the cannery open, and they only can once a week, just when they can get the lobsters.

Q. Have you any idea as to the spawning season of lobsters, when do you think they spawn?—A. Well, they spawn—to tell you the truth I do not know, but in my judgment and experience I think that through the summer months probably you will find spawn on the lobsters most any time.

Q. Do you notice that the berries become more ripe as the season advances?—A. Yes, and the lobsters are not meated out in August like they are later on when they have shed their shell.

Q. How do you find them when you commence fishing in December, are they full of meat then?—A. Yes, they are pretty firm.

Q. Are they as full as they are in the spring?—A. Yes.

Q. In your experience in shipping lobsters alive to the market, have you to be very careful whether they are injured or not? Is it the case that a lobster with a cracked shell will die —A. Yes.

Q. And you have to send the lobsters in perfect condition?—A. Yes.

Q. Must they have both claws on?—A. Well, no, but it would be better if they had; if they have one claw on they would be counted as a good lobster, but if both claws are gone they would be of no use.

Q. And in that case they would go to the canner?—A. Yes.

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Q. Do you think you find more spawn lobsters inshore than you do off shore?—

A. I do not know, I do not think there are very many found in our season.

Q. No, there are very few found?—A. Very few, yes.

Q. Are they more numerous towards the close of the season, as the weather is getting warmer do you think the female lobster is making for the shore to spawn?—A. Yes, I think they do take advantage of the shoal water.

Q. As to the matter of licensing canneries, do you think any considerable increase in the number of canneries would mean, I am not referring to your case, but speaking generally, a greater destruction of the lobsters, or that it would mean more fishing?—A. No, I do not.

Q. You think the fishing has practically reached its limit, that there are as many people at it and as much gear out as there would be?—A. Well, I do, but it is like everything else, there are some going into it that have not got into it yet.

Q. But would there be any material difference?—A. No, I do not think there would.

Q. The idea of the department in restricting the issue of canning licenses for a number of years back was that in that way fishing would be limited. Do you think it has had that effect?—A. No, I do not.

Q. Do you in common with many other fishermen entertain the opinion that the more canneries there are the more likely it is to lead to competition and the more benefit it will be to the fishermen?—A. Yes, I think so.

Q. If the canner refused to accept the undersized lobsters the fishermen would be obliged to return them to the water, they would not bring them in?—A. No, but I think the canner is practically forced to take them because if one canner refused another one would take them.

Q. And his smack would get the fish?—A. Yes, that is about it.

Q. You speak in this memorandum of the matter of a pound, are there facilities at Pubnico for the establishment for a pound?—A. Yes.

Q. What is the nature of the place you refer to?—A. It is a natural salt water pond.

Q. What depth of water is there in it?—A. The depth of water in it at high water would probably be 5 or 6 feet, and at low water there probably would not be more than 3 feet in some places.

Q. You know that one of the difficulties is that you cannot keep lobsters where the water is too shallow?—A. Yes, but they claim that with a little work this place can be deepened.

Q. What is the extent of the pond?—A. It is about 8 acres, with a narrow outlet and the rock is broken away so that it lets the tide have a free flow in and out, and by building a sluice something like that it could be fixed, in fact they do have the lobsters coming in there now; the lobsters have been put in there to spawn, and the young fry have gone out to sea again.

Mr. LAW, M.P.—I may say that a survey has been made of it by the Marine and Fisheries Department; Mr. Halkett, one of the officials was down there and made a thorough examination of it.

The COMMISSIONER.—Mr. Halkett has been most of the summer at the Baker pound, I understand, watching the conditions there.

Mr. LAW, M.P.—This is a very important matter, it has an admirable situation right down on the point there, and with a very small expenditure it could be made suitable, I was down there myself.

By the Commissioner:

Q. Your idea is that this pound could be made, and the fishermen would send their seed lobsters there and have them put into the pound?—A. Yes.

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Q. There is no doubt that where these facilities exist that does offer protection to the female lobster?—A. Yes.

Q. As I understand it then in your case there is not much friction between the fisherman and the packer?—A. No.

Q. In some parts of the coast there is a great deal of discontent on the part of the fishermen who say they are not getting enough for their fish, and the department has been obliged to issue canning licenses to the fishermen where a number of them, 15 at least, have grouped themselves together and applied for what is called co-operative licenses. They are doing that at Little Harbour and some other places?—A. Yes.

By Mr. Law, M.P.:

Q. You have some competition down there, have you not, in the number of canneries?—A. Yes, there is no doubt about that, in fact I think myself that the canners pay sometimes more than they can really afford to pay.

By the Commissioner:

Q. There is very little doubt they did in 1908, and I think they found that out for themselves?—A. Yes.

Q. And then they went to the other extreme this last year, that is the general opinion?—A. Yes.

Q. You recommend the establishment of a pound in this neighbourhood; have you any experience in the matter of hatcheries?—A. No, I have not.

Q. In some parts of the coast the department have a number of hatcheries, there is one off Pictou, at Cariboo Point, it has been there for a number of years and the general impression is that it has done good there, but in your case you recommend pounds?—A. Yes.

Q. To what cause do you attribute the decline in the lobster fishery?—A. To taking the small lobsters, the little chicks.

Q. A lobster is not supposed to have reached maturity until it is about 8 inches long, I think there are a very few berried lobsters found under 9 inches?—A. Very few, all I have found have been nine inches.

Q. Do you not think it must have an injurious effect on the continuation of the lobster fishery to destroy the immature ones, the young, before they reach the age of reproduction?—A. Yes, Naturally I should think it would.

Q. With regard to the different open seasons and size limits do you not think that it is apt to encourage violations of the law to have different size limits and different seasons in immediate neighbourhoods. Here on this coast, for instance, at different places we have different seasons and different size limits; do you not think that as far as possible the law ought to be uniform?—A. I think so, but I do not think it would after the factories are closed; there should be no violation—what do you mean?

Q. We find for instance that we have in some parts of the coast, here in St. John County the season is from January 6th to June 29th with a 9-inch limit; and in the Bay of Fundy, bordering Kings and Annapolis counties, from January 15 to June 30 with a 10½ inch limit; in Charlotte County, N.B., and Digby County, N.S., from Jan. 6th to June 15th, and a 9 inch limit except in the Bay of Fundy portion where it is 10½ inches; then again from Yarmouth to Halifax Harbour, December 15, to May 31, 9 inch limit. Do you not think, as far as possible there should be a uniform season?—A. Yes, as far as it can be I think it should be uniform, but it is pretty hard to get it uniform because the conditions are so different in different localities.

Q. We found here this afternoon that fishermen who fished in one section after fishing in their own district when the season closed there moved over into the next section.—A. Yes.

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Q. Now with regard to this matter of the American smacks fishing outside there. You realize, I suppose, that it is going to be pretty hard on our fishermen if the Americans can fish just outside the 3 mile limit and catch off all the fish before they come inshore; the fish do come inshore from the deep water, do they not?—A. Yes, they must come in from the deep water of course.

Q. Have you any idea as to how you could counteract that in any way?—A. No, I have not, they are outside the 3 mile limit, and I do not know, it is beyond me to suggest any way of remedying it.

Q. We have had suggestions made to us to-day that the only thing for us to do is to do the same as they do, not exactly the same thing, but to wipe out the close season and fish all the year round, and raise the limit.—A. Raise the limit, yes.

Q. But you do not think that would suit at all?—A. That would not suit the majority of our people at all.

Q. It is quite possible any arrangement of that kind would affect the fishermen seriously for a year or two, but ultimately the gain would be great.—A. Yes, I agree with you there, it certainly would, but in the meantime it would be pretty hard for the fishermen to get along, to hold on for that time.

Q. Well, most of those who fish lobsters are deep sea fishermen and have they not something else to turn to even though it were not so profitable as the lobsters, there are deep sea fisheries off here.—A. Yes, but of late years they have not done much on the other fisheries, and you take the lobster fishery, the way they are in these counties here, that is what the majority of the people, the merchants and everybody else, are depending on now, the cod fishery has been very dull these last two seasons.

Q. And how is the mackerel, you have that too?—A. Yes, but it has been very dull, I believe this last spring there has been a few mackerel, but there has been no mackerel caught for several years.

Q. How do you fish mackerel, in traps?—A. Yes, we do catch them in traps.

Q. Almost any regulation you can put on the lobster fishery, if strictly enforced, will cripple the fishery for awhile?—A. Yes.

Q. But it is all done with the idea of ultimately improving it?—A. Yes.

Q. Which of the various seasons that you fish lobsters now do you consider the best? When do you make your best fishing?—A. Well, as to the quantity of lobsters it is better in the spring, but as to the markets and everything of that kind, the fall fishing is the best.

Q. The bulk of the market is firmer in the fall?—A. Yes.

Q. I suppose there are fewer lobsters coming in from the other regions then?—A. Yes, on account of the weather.

Q. And the lobsters transport better in cold weather?—A. Yes.

Q. How are the existing facilities for the transport of lobsters; are they all they might be, or is there any way in which the department could improve the situation by providing better facilities for the transport of lobsters?—A. Yes, they could improve it some; of course it is pretty hard to get a steamer to call at very small places where they export lobsters, but if we had a steamer calling on us, there is one steamer but she does not call at the Harbour, it would be a convenience to the fishermen.

Q. Is she a subsidized boat?—A. Yes.

By Mr. Law, M.P.:

Q. She is subsidized by the provincial government. You do not ship any by way of that boat?—A. No, it is handier for us to ship by rail.

By the Commissioner:

Q. The policy contemplated by the department in framing the regulations is evidently to allow the large lobsters to be taken, leaving the small ones untouched. Do you think there is any kind of trap particularly adapted to carry out that intention?—

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A. Not the way they have the traps now, but I suppose there could be traps made that would catch only the large lobsters.

Q. What is the life of a trap, how long does it last?—A. A trap will last about two or three seasons.

Q. I think the bulk of the evidence goes to show that every three years a fisherman has practically to renew his outfit of traps?—A. Yes.

Q. A good many of the fishermen, in their evidence, have stated that the matter of taking the small lobster can be regulated by insisting on a certain trap with a certain space left between the slats; others again say that there is nothing in that, that it would not make any difference. There is, however, one thing that we do notice, within my recollection which goes back 32 years, originally the traps were made with the slats $1\frac{1}{2}$ inches apart, and now they have got the space down to a half inch in many places; that can only have been done with one object, to retain the small lobsters?—A. Yes.

Q. There are many places where they are canning lobsters that it takes 12 or 14 lobsters to fill a pound can, have you any idea how they run with you?—A. I do not know.

Q. The department had packers make experiments and they found that it took 9 7-inch lobsters to fill a one-pound tin.

By Mr. Law, M.P.:

Q. As I understand you, an open season all the year and a 10-inch limit would be detrimental to the industry in your section?—A. Yes, it would be to the fishermen at present, but of course, as the Commissioner says, we would benefit by it in three or four years, but that is a long time to wait.

Q. That has been suggested because this American lobster smack business has changed the whole feature of the question?—A. There is only one place they are fishing, I do not believe they are in any other place, and of course they can only fish for lobsters outside the three mile limit, and the limit is outside of Seal Island.

By the Commissioner:

Q. There are a great many places you can fish in 20 fathoms of water?—A. That is a fine lobster ground in Argyle bay, one of the finest lobster grounds in the world.

Q. Yes, all around Cape Sable Island is a good lobster ground, and it is shoal a good way out?—A. Yes, it is.

Q. In the state of Maine they began the canning industry there, and the canning ran out the fishery completely, and it was only when the canners found that the fishery was exhausted that in many cases they came into Canada, and they were really the pioneers of the packing industry here; Burnham, Morrill and Company and other firms have only moved in here after they have fished out their own grounds. Maine has done away with the close season and allows fishing all the year around on a $10\frac{1}{2}$ -inch limit, and now they have improved their fishery there a good deal?—A. There is no doubt about that, and I am quite sure that their lobsters do not invade our own coast; I heard some time ago they liberated a lobster at Wood's Hole and he was caught at Seal Island.

Q. Some fishermen have told us that they caught a tagged lobster from Maine at the Island of Grand Manan, and I can quite understand that, it is not so very far away. Will you file the minutes of the meeting at which you were appointed secretary?—A. I will place it on record. (Document filed as follows):

‘A meeting was held at West Pubnico, September 13, 1909, by the fishermen and others to appoint delegates to meet Commissioner Wakeham in the interests of the lobster fishery.

‘Hon. H. S. LeBlanc, being nominated as chairman, the meeting was called to order at 8. p.m.

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‘Resolved that A. E. Carland act as secretary.

‘The subject being thoroughly discussed by all the fishermen present, it was unanimously resolved that whereas on account of weather conditions there are about 2½ months of the lobster season in which practically no fishing can be done, it would be more satisfactory to the fishermen in this end of the county to have the season changed from the 15th of December to the 1st of December, and that the size limit be reduced to 7 inches.

‘Resolved that A. E. Carland, Leon de Amiro and Alfred Dean be appointed delegates.

‘Resolved that the delegates bring to the notice of the commissioner about a pond at Lower West Pubnico to be made into a natural lobster hatchery.

‘The meeting adjourned.’

Witness discharged.

ALFRED DEAN, fisherman, Pubnico, called and sworn:—I have heard all the evidence of the previous witness and I agree with it, and have nothing to add to it. There is one thing I want to speak about and that is illegal fishing after the close of the season which ought to be stopped.

By the Commissioner:

Q. Is there anything of that kind done?—A. Yes, they say there is; I was out in the harbour the other day and I could count 150 pots.

By Mr. Law, M.P.:

Q. What do you suppose they are doing with the fish they catch?—A. They are selling them.

Q. But where do they go to sell them?—A. They go to the boarding houses and other places.

By the Commissioner:

Q. Is there any canning done after the season closes?—A. Not that I know of.

Q. In some places we have heard of the fishermen canning in their own houses and in the woods?—A. I do not think there is any canning being done down our way.

Q. That is a question which has come up on several occasions, what we might call a matter of domestic fishing. At the summer hotels we have people complain that they came down to the sea coast for the summer and that they cannot get fresh lobsters because they happen to be here in the close season, and they have asked if the department would not allow a certain amount of local fishing for local purposes, but I do not see how it could be done.

Mr. CARLAND.—I think the most of the fishing that we complain of is done before the fishing season commences, but I do not think there is very much fishing done at this season.—A. Well, there are hundreds of traps set out and some men have made \$50 this summer fishing out of season.

By Mr. Law, M.P.:

Q. Are there any cases down around your way where the fishermen fish before the season opens and keep their fish confined waiting for the season to open? And are there a large number of those fish die and have to be thrown away absolutely?—A. There is nothing of the kind in Pubnico, but there are some among the islands there that do that.

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By the Commissioner:

Q. We have heard that fishermen are in the habit of fishing before the 15th of December, and holding their fish?—A. Yes, there are some do that.

Mr. CARLAND.—Two years ago they did it quite extensively, and the inspector came up with the 'Coastguard' and liberated a lot of them at Dark island, and since that I do not think it has been done very much; last fall hardly any of it was done to my knowledge.

Q. We have had complaints from other fishermen below here that their fish sent up here in cars are very severely treated by the local officer here who they say is much harder on them than he is on the people in this district.

Mr. LAW, M.P.—And these men here complain that the same officer has let the fish in from outside when he would be keeping them down here.

Witness discharged.

LEON DE AMIRO, fisherman, Pubnico, called:—

By the Commissioner:

Q. What do you say with regard to the evidence of the other two witnesses?—

A. I think Mr. Carland has given it about right.

Q. Of course if there is anything you wish to say it will be taken down. You have heard his evidence?—A. Yes.

Q. And you fully approve of it?—A. Yes.

Q. And you have nothing to add to it?—A. Not that I know of.

Witness discharged .

Commission adjourned.

YARMOUTH, September 15, 1909.

JOSIAH HARDING, fisherman, Lower Argyle, called and sworn:—

By the Commissioner:

Q. Is there any Fishermen's Union where you come from?—A. No.

Q. Do you appear as a representative of any meeting of fishermen or anything of that kind?—A. Yes, we are here to represent a meeting.

Q. You represent the interests of a meeting held where?—A. Lower Argyle.

Q. What extent of the coast does that comprise?—A. It is only a small section of the coast, it is divided up, there are four Argyles within 3 miles.

Q. What is the number of fishermen carrying on the lobster fishery in that locality?—A. I am not prepared to tell you that, there are quite a number in Lower Argyle.

Q. How many would you say, I do not want it absolutely with minute details, but about how many boats are there, fifty?—A. Well, at Lower Argyle——

By Mr. Law, M.P.:

Q. Take your Argyles altogether, you represent all the Argyles?—A. I should think there would be about 350 boats altogether.

Q. Engaged in the lobster fishing on that coast?—A. Yes.

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Q. What number of packing houses are there served by these boats?—A. Well, there are a lot of houses there that are not running, they only run a few.

Q. What becomes of their catch of lobsters, are they smacked?—A. Our lobsters that we catch are packed at Abbott's Harbour.

Q. How long have you been engaged yourself at lobster fishing?—A. I have been engaged in it myself 20 years.

Q. Were you ever engaged in it for anybody else before that?—A. Only with my father.

Q. That was as a lad?—A. Yes; well it has been 22 years since I started, and of that time there were 2 seasons I was not in it.

Q. Have you ever fished lobsters anywhere else except on this part of the coast?—A. That is in this bay?

Q. In a few words what is the condition of the lobster industry to-day compared with what it was when you were working for your father?—A. There is quite a difference, they are scarcer.

Q. They are much scarcer?—A. Very much scarcer.

Q. In what proportion has the number of boats and the quantity of gear increased?—A. Quite a lot.

Q. And does each individual boat fish more gear than it did when you were younger?—A. Yes.

Q. To what extent; have you doubled your gear?—A. Well, off-hand, I think I would be safe in saying that it is increased by one-third. I would not say one-half, because that is quite a lot.

Q. What are the fishery regulations in your district; when do you commence to fish and when do you end?—A. We commence on the 15th of December and end on the last of May.

Q. And you are supposed to take nothing under the 9-inch limit, that is the regulation?—A. That is the regulation.

Q. But these regulations have never been enforced?—A. What regulations do you mean?

Q. The 9-inch limit?—A. Well, to a certain extent.

Q. When? When you began or lately?—A. Oh, all along.

Q. What am I to understand from that? Do the fishermen generally throw overboard all undersized lobsters?—A. Well, they are supposed to.

Q. Yes?—A. That is what they are supposed to do.

Q. On the other hand, do you not take to the cannery everything you catch?—A. We do not take anything to the cannery.

Q. Do you deliver to the smack everything you catch? Our experience along the coast is that the regulation with regard to the size limit has never been enforced, that it is not the practice of the fishermen to live up to it, that some did follow it, but when they found their neighbours did not they got into the way of ignoring it, too?—A. Well I do not say that it is enforced as it might be.

Q. You begin your fishing on the 15th of December, how is the fishing in December?—A. With us it is the best part of the winter.

Q. For what reason?—A. Well, you see as the winter comes on it shuts it off, you understand, by ice and cold weather.

Q. The winter months with you here will be February and March, or from the middle of January?—A. Yes, we call January, February and March our winter. You see December is the best.

Q. How do the fish run in December, are they plentiful and a good size?—A. Yes.

Q. How is the market for fish in December?—A. It is fairly good.

Q. The market is fairly good?—A. Yes.

Q. What proportion of fish you catch is sold for canning purposes, and what proportion is sold abroad, fresh?—A. About one-third.

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Q. That is one-third goes to the market?—A. About that, of course I could not tell you exactly.

Q. I do not expect you to give it to me absolutely and definitely, no man can do that?—A. The way I get at it is by keeping a small book of account, and I notice that it is generally about one-third.

Q. Is that one-third in quantity?—A. Yes, one-third in quantity.

Q. And how much in value; how does the value of one compare with the other?—A. It is the value that I have reference to, I would not know about the quantity, I could not tell about that.

Q. Do you fish all through the winter, do you leave the gear in the water all through the winter?—A. Very few do.

Q. When do you bring it to shore?—A. We begin to bring it ashore, we have to by the first half of January.

Q. You bring it ashore altogether and give up the fishing?—A. Yes, most of them do. I do not bring it ashore myself, because I fish farther out, so far that I cannot bring it ashore, but that is only me personally, the majority have to bring it ashore.

Q. When you leave it out, do you fish the traps regularly and bait them?—A. Yes, as often as we can.

Q. How do you find the fish then?—A. We find them scarce.

Q. Do you think that they are outside or inside? Do they go outside in cold weather?—A. That is my idea, I think they go out.

Q. And when do they come in?—A. They commence to crawl as the weather gets warmer, about the middle of March.

Q. Do you notice there is a migration then towards the shore?—A. Yes.

Q. And about the middle of March the fishing will improve again?—A. Yes.

Q. And you fish right on until the end of May?—A. Yes.

Q. What is the condition of the fishery in April and May?—A. April is our best month, that is in our vicinity. May gets down fine.

Q. You have to hunt them up then?—A. We have to hunt them up.

Q. Do you move in shore or off shore in May? Do you fish in the same water or follow the fish in?—A. Well, along in our river we cannot change much, sometimes they come in on the kelp.

Q. What depth of water do you generally put your traps in?—A. Along that river it is quite deep water, about 6 or 3 or 4 fathoms of water.

Q. How far off shore are you?—A. It is just on the river.

Q. It is a lead?—A. Yes, it is just a salt water river, and then we fish right out to the end of May.

Q. Do you fish right up to the end of May?—A. I do.

Q. Do the majority of the fishermen?—A. No, there are a lot of them haul out and go to the other branches of the fishery.

Q. The other branches of the fishery are more profitable?—A. Yes, it is to some of them, but there are one-half or two-thirds fish right up to the end of the season.

Q. Can you give me any idea of the total revenue of an ordinary fisherman from the lobster fishery?—A. That would be quite hard to say.

Q. A man ought to know what return he gets from it, should he not?—A. Well, there are some do not get very much, and some get quite a little, so that it is pretty hard to average it up.

Q. What would it amount to, \$300 or \$500? We want to get some idea of the consequence and the value of the fishery to the individual so that if they stop it altogether they will know what the loss will be?—A. Yes, I could tell you about my average, but you see that there are such a lot engaged in it it is quite hard to give an average. I should think a common average of stock would be \$350 or \$400. Of course there are some, I know, in recent years would go beyond that, but if I said \$500 I think I would be about right, and may possibly be a little over the mark.

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Q. And of that revenue one-third comes from the market fishery and two-thirds from the sale to the cannery?—A. That is pretty near.

Q. So that in your case the revenue derived from the packing is the most considerable part of your revenue?—A. Yes.

Q. Has that decrease in the fishery that you have alluded to been constant; is it steadily going on year by year? Do you notice it every year?—A. You mean in the fish?

Q. Yes?—A. Well, I think it is; of course there are some years better than others.

Q. Certainly, even in the old times that was the case?—A. And even now it is the case. Of course in years gone by it was hard to make money; you could not get the price.

Q. As to the price, what price do you receive from the packer?—A. Some years one price and some years another.

Q. Is it the practice for the fishermen to be paid on the nail?—A. Yes, spot cash.

Q. Is there any competition among these smacks? Do they sometimes offer a little more or offer you any inducement?—A. Oh, once in a while.

Q. So that there is competition?—A. Oh, yes.

Q. And the other packers are trying to get the fishermen?—A. I would not care to say there was much competition among the packers, it may be more among the smackmen.

Q. It must be ultimately among the packers because the packers have to pay?—A. Well, sometimes when they get to know of it they will cut it out. I do not think there was much competition among the packers this year.

Q. Do you think, on the other hand, there is a combine; that they agree not to pay beyond a certain price; that they fix the price?—A. I could not say.

Q. Is the price satisfactory?—A. Sometimes it is, but I tell you that the way it has been, this last year we were not satisfied with the way it turned out; the price was very low, and I myself was not satisfied, although probably I was getting all they were worth, but there were years when I thought they were paying a big price for the lobsters.

Q. Do you think they ever paid too much?—A. I did not think that they did, but possibly they might have paid too much sometimes.

Q. I think myself that for a year or two they did pay too much?—A. Well, I do not know, but perhaps they did.

Q. What style of trap do you fish?—A. I fish two or three different kinds.

Q. You make your own traps?—A. Yes.

Q. Do you find any difference in the catch in them?—A. Sometimes, some kinds will get fish better than others.

Q. What is the particular merit of the new trap, the last that you invented?—A. Well, the last one I invented I do not know whether it is as good as the one I had before.

Q. What particular patent did you try then? These are all varieties of what you call the parlour trap, are they not?—A. Yes, they are.

Q. The doors are placed a little different?—A. Yes, some are what we call the double parlour trap and some the single parlour trap.

Q. The object of all these variations is to make it more difficult for the fish to escape?—A. Yes, that is the idea.

Q. In building the traps do you put the slats closer than they were originally?—A. Not much, at least I do not.

Q. Do you think there is any tendency to put them closer?—A. I could not say. I do not know that I have put them much closer.

Q. What is your gauge or mark?—A. The pole of the hammer.

Q. That is a little less than an inch?—A. Probably, my motive in that is to keep the lobster from putting his claws through.

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Q. It is not to keep the small lobsters?—A. No.

Q. These laths when you put them on the trap are pretty dry, and they swell while in the water, thus reducing the opening still farther?—A. It is mostly green laths we use.

Q. I suppose you own your own boat and gear?—A. Yes; part of the time I did neither, of course.

Q. What I mean is, does the canner supply the boat and gear to you?—A. No.

Q. And the fishermen are paid by weight and by count?—A. Both ways. Sometimes one way and sometimes another; the large lobsters are by count.

Q. But the undersized lobsters go by weight?—A. Yes, by weight.

Q. Was that always the case?—A. Years ago they used to sell by count.

Q. What led to the change? Were they getting too small to be paid for by count?—A. I do not know I am sure. All we know is that they commenced buying by weight; that was among the packers you see, and that is all I can tell you.

Q. Of course you realize that the lobster fishery is failing very much. There are more small fish proportionately, I think?—A. Well, I think so.

Q. And you have now to put forth greater exertions in order to keep up your catch? What is your remedy for the existing trouble? What did your branch of the fishing community say at the meeting at which you were chosen to represent them?—A. To keep the catch up, do you mean?

Q. What did they recommend, or did they make any recommendation?—A. They did not make any.

Q. Did they leave it to you to make any suggestion you thought fit? What is your remedy? How does the present season suit you and how does the 9-inch limit suit you? Should it be enforced strictly or not? You see it is the suggestions of fishermen we want to guide us in any future regulations that may be made?—A. Yes, I see.

Q. How would it do to shorten the season?—A. The way it has always been with me is that my policy has been to get all I can.

Q. That, I suppose, is the policy of the fishermen generally?—A. Well, you cannot get too many.

Q. But the lobster may suffer?—A. Of course, when it comes to the question of protection, as I said, I think they are getting a little scarcer and we have to make more exertions in order to get them; still I can make a dollar now easier than I could 10 years ago.

Q. Than when you began, because you get so much more for them now?—A. That is so.

Q. Do you not see that the active demand for lobsters will perhaps lead to your being fished out shortly?—A. Probably.

Q. What would you recommend, closing down altogether for a term of years until the fish grow up and recuperate? Some people have recommended that as the easiest way out of this difficulty?—A. I think it is pretty hard to protect them any other way. That is my personal opinion.

Q. That would be a pretty severe way, would it not?—A. Yes, it would.

Q. Do you think the fishing community can stand that for a term of years? Are there other fisheries they could fall back on?—A. I think a good many would have to get out of the country. That is my opinion.

Q. How would it do to enforce the present 9-inch limit strictly, and by that means protect the small lobsters until they grow up? They grow a couple of inches every year, and it would not take long to have them, or at least a large proportion of them, of decent size?—A. It may be all right. I have not a doubt it will save them to a certain extent, but they will not increase too fast because there will be a good many of them killed just the same.

Q. How?—A. Well, they die.

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Q. Do you think the small lobsters would die?—A. Yes, the small lobsters would. You see I have worked where they have culled strictly in my time and where they dumped them, and you would find lots of them dying right around the docks and the cars.

Q. Yes, but you would not cull them inside, you would cull them outside when you take them out of the trap?—A. You cannot, because two-thirds of our fishermen have to work on the tide, and it takes such a long time to haul traps, and where you have so many traps to haul in in a given time you cannot stop to pick out the small ones there, so that they cannot begin to cull them until they are coming back.

Q. But you have to take the lobsters out of the traps?—A. Yes, I know we have, but if you have to measure every one you will have to have a stick.

Q. I do not think anybody would wait for that, but any fishermen of practice and experience would judge the size of the lobster pretty correctly.—A. Well, but if you heave them overboard outside you would probably have the same thing to do again to-morrow.

Q. I know it would probably mean some loss of time and trouble.—A. Yes, they will crawl right back into the trap again and eat the bait.

Q. And so you will sacrifice them?—A. No, only to carry them into where you can grade your fish and cull them, that is where you will naturally separate them; another thing is there you have lots of time to play on and to do it properly.

Q. Do you not realize that something must be done to protect the fish, and do you not think it is wrong to destroy the young ones before they have reached a profitable age?—A. Yes.

Q. What are you getting for these small fish? It is a very small sum, so that it is not worth much to you, whereas in a few years the same fish would be worth a great deal more. Is it not worth while for the fishermen to wait until those fish are of proper size?—A. Till you could make something out of them?

Q. If the 9-inch limit means anything at all it should be enforced strictly everywhere?—A. I may be spending my time out there culling my fish and when I get into the dock there will be another man there who will have just exactly the same class of fish that I have thrown away; that would be pretty hard.

Q. What solution would you suggest, something must be done, how is it going to be done?—A. To protect them?

Q. To protect the lobsters, it is pretty clear that they need some protection or else we will not have them very long; the general opinion is that the fishery is reaching a crisis and that it is necessary to do something?—A. Yes, well if that is the opinion of the people they should be protected all right.

Q. How would you protect them, shorten the season?—A. Well, about shortening the season, I think it is short enough.

Q. What are we going to do then; you say we cannot avoid catching small lobsters?—A. I do not say, it is difficult but we can stop that.

Q. In what way?—A. We can stop the fishermen catching them or making use of them.

Q. And you think the season should not be shortened?—A. I think it should not, because it is short enough now if you have to go to the expense of rigging up and fitting out.

Q. Do you think we could allow a fair proportion of small lobsters to escape by requiring the fishermen to build a trap with sufficient space between the slats to let them out?—A. I think it could be done all right by that means.

Q. You think it could be done that way? Some people say it is no use attempting to do that, that the fishermen would alter their traps when they got them outside.—A. I do not think we could do that; you could make him build the trap right so that he could not do it outside, if the trap is properly built.

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Q. I have not yet got through my mind what your idea is as to the right thing to be done to protect the lobsters.—A. Of course it would not take me long to give my idea, but as a representative here I do not know what I should do.

Q. You might give your idea as a representative, and your own idea also; you might give us both, or you might split the difference, perhaps?—A. Of course there are several ways by which you might, according to my idea, protect the lobster; you can do it either by making the trap as you suggest or by a close season, or by shortening the cull; you see there are several ways. I do not know that there is very much difference anyway, I haven't a doubt but what the season would do it more rapidly.

Q. That is shortening the season?—A. Or closing the season altogether, but that is a very hard thing to do, I think.

Q. We want to find out if we can the least harmful way to the fishermen.—A. Yes.

Q. There is no doubt that shutting down altogether would be easiest, quickest and most thorough way, from the lobster point of view.—A. Almost anybody will agree to that, but, you see all the property will go to destruction.

Q. We understand that, and therefore we may set that aside as being impracticable, now we want something more reasonable. How would it do to follow here the practice in the State of Maine, fish all the year round and fix the limit at 10½ inches? That has been suggested as one way out of it.—A. Yes, well, that will protect the lobster.

Q. How would it affect the fishermen?—A. It would affect them all right, it would be just this way, I suppose you could fish all through, but there are lots of times during the year when you could not make it pay.

Q. Do you not think the result in a year or two would be to very much increase the catch of lobsters?—A. I do not know but what it would, but when you come down to that, money comes slow.

Q. Well, we have failed to get any definite suggestion from you; what is it that the majority of the fishermen in your district wish you to say?—A. Well, of course they did not decide that matter of protection other than asking for more time in the fall, that is in our locality.

Q. That is more time to fish?—A. Yes, because they are cut off by ice in the winter at the time the fishery opens.

Q. What more time do they want in the fall?—A. Two weeks or 15 days.

Q. And no shortening in the spring?—A. They did not say anything about that, but the last part of the season does not make much difference one way or the other, it is getting pretty small then.

Q. Do you know anything about the fish hatcheries or pounds?—A. No, I do not know anything about hatcheries.

Q. Do you know anything about pounds where the female lobsters are held until they have spawned or until the season is over?—A. I have no knowledge of that either.

Q. You have no recommendation to make on that score?—A. No.

Q. In the matter of licensing the canneries, what do you think? Do you think there are canneries enough, or should the department grant more licenses?—A. No, it is all right if there are not too many canneries conducted by the one man; I do not know but what there are canneries enough to pack all the fish.

Q. You think there ought to be a limit to the number of canneries licensed to one firm or corporation?—A. I think it makes it harder for the fisherman when there are too many licenses held by the one firm.

Q. Do you think the policy of the department in allowing fishermen to get co-operative canning licenses, if they are not satisfied with the conditions and group themselves together to can on their own account is a good one? Do you think that covers the ground as far as the fishermen are concerned, and that it gives them no

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reason to complain?—A. We are not bothered much in that way, I have not had much experience in that.

Q. I do not think there is very much more I need to ask you. Have you any statement to make on your own account either from yourself or as the representative of the fishermen?—A. Well, we haven't anything more, that is what they are asking.

Q. For an increase in the fishing season?—A. Yes.

Q. In the fall?—A. Yes, it is so short with us that the winter is on us before we have a chance.

By Mr. Law, M.P.:

Q. Did the meeting have any recommendation to make with reference to the size limit?—A. No.

Q. You do not do anything outside in the deep water fishing?—A. No, it is all river fishing with us.

Q. It would be 10 or 12 miles to go outside?—A. Yes, it is too far.

Q. Do you catch as large a run of big fish as those who fish further off?—A. No, I have fished in, what I am referring to as the bay.

Q. Do you think in the tag end of the season, where you fish, you get more small fish and more breeding fish than in the early part of the season?—A. We get more small ones.

Q. You think the fish come towards the shore as the weather gets fine?—A. Yes.

Witness discharged.

A. D. RANKIN, fisherman, Lower Argyle, called and sworn:—

By the Commissioner:

Q. You have heard the evidence of the gentleman who preceded you, do you agree generally with all he said?—A. Yes.

Q. Is there any matter wherein you differ from him, or that you would like to say anything more about or explain more fully?—A. I do not think there is.

Q. What is the length of your connection with the lobster fishery, how long have you been fishing lobsters?—A. I have been fishing probably 15 or 18 years.

Q. How do you find the condition of the fishery to-day as compared with what it was when you began fishing?—A. Well, they are a great deal scarcer, I think.

Q. Is it that they are getting scarcer and smaller? Are they running smaller?—A. No, I do not think they are.

Q. You think you get as large a proportion of good sized fish as you used to?—A. These last two years, I know, where I fish, we have got more large lobsters than for the last six or eight years.

Q. What proportion of the lobsters you catch are within the legal size of 9 inches, and what proportion are below that?—A. I should think probably one-third would be small, that is below the 9-inch limit.

Q. What do you do with all the fish above the 9-inch limit, do you sell them all to the smacks, to the canners, or do you export any of them yourself?—A. We ship some of them, sometimes we sell to buyers, there are buyers who are not packers, and who buy large fish.

Q. So that two-thirds of your fish are market fish?—A. I think they are.

Q. In that you differ from the gentleman who preceded you; I understood him to say one-third of his fish would be market fish.—A. It makes a difference where a man is fishing.

Mr. HARDING.—I meant one-third large, one-third between nine and ten and a half and one-third below nine inches.

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Q. Do you fish on the same ground?—A. No.

Q. Do you fish off shore in deep water?—A. No, I am fishing in closer.

Q. From which branch of the fishery do you derive your largest revenue, from the sale for export or the sale to the packer?—A. I do not know hardly, it depends on the price in the United States, on the Boston market where we ship them; in the winter we get better prices than we do in the summer.

Q. How is it with you, do you fish all through the winter or do you slacken off through January?—A. I knock off about the end of January.

Q. Do you bring your gear ashore then?—A. I land it.

Q. And when do you put it out again?—A. The first of March if the ice is out of the river, sometimes it is the 10th before we can get out.

Q. What do you call the river, is it the channel among the islands?—A. It is the harbour there.

Q. Is there any fresh water river discharging into it?—A. Not very much.

Q. Are the lobsters as plentiful at the head of the bay as they are in other parts?—A. In the fall there are as many at the head as there are outside, but when the water gets cold they shift off again, that is my idea.

Q. When you put your gear out again about the first of March you fish right up to the end of the season, do you?—A. Yes, unless I have to go away or something of that kind, I might then take it up before the end of the season.

Q. Is it the practice of the fishermen to knock off before the end of May?—A. No, the majority fish right up to the end.

Q. And at the end of the season do they begin other branches of the fishery, they are regular fishermen?—A. Yes, there are some who stay at home and fish.

Q. Are there many who go abroad in fishing vessels?—A. Yes.

Q. Have the number of boats and traps increased in your time?—A. Yes, quite a lot.

Q. And the number of fishermen too?—A. Yes.

Q. Practically everybody who can engage in the lobster fishery is already engaged in it?—A. Yes.

Q. And some go farther out?—A. Well, we have islands, with little houses on them and some of us will go outside, but others who cannot get outside have to fish inside the islands.

Q. Do you fish on the same ground regularly, or is the same ground fished over generally by everybody?—A. On the island where I fish I have the same ground, and I fish there regularly, probably nobody else could get handy to me very well.

Q. Is there any trouble in your neighbourhood—in some places we have heard that the islands were held by private individuals who charged rental to those who fished there, is that the case with you?—A. Yes, most of them are rented to us there.

Q. Well, now, with regard to the island that you fish from?—A. I bought a piece of that island and I own it.

Q. So that you are independent?—A. Yes.

Q. I suppose the fishermen all own their own boats and gear?—A. Yes.

Q. Now, as to the regulations, there is no use going over a great deal of what the other gentleman has told us, are the present regulations being enforced strictly, and will it be sufficient protection for the lobsters if they are enforced? Of course they have not been enforced?—A. No, I do not think so. My idea would be to have a seven inch limit.

Q. What would be the advantage of that?—A. Well, we need the fish and we have to make a living out of it.

Q. And do you think you can continue to fish very long and destroy the fish before they have a chance to reproduce themselves?—A. Yes, I think so.

Q. You do think so?—A. Yes, I do.

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Q. What is the practice with regard to the berried lobsters among you fishermen?
—A. We heave them away.

Q. Has that always been the practice?—A. I do not know that it has always been the practice, but for the last few years, I think for the last ten or twelve years, I have never seen a man save them, they are always put overboard.

Q. And they are caught over and over again?—A. Probably they will be, and probably they will not, they may go somewhere else.

Q. Do you think they go very far?—A. I will not say that they do.

Q. Your idea is the same as the other gentleman's as to the season, what season do you want?—A. Well, I would like to have the same time, if we could get it.

Q. And you want the same time and a 7-inch limit; do you think that will protect the lobsters?—A. No, I do not think it will protect them any.

Q. Do you not think it is necessary to protect the lobsters? Or do you think we had better go to work and catch them all up?—A. My idea is that the lobster comes into the harbour in the fall of the year, and when the weather is cold they go out and they may strike somewhere else.

Q. Do you think they travel far?—A. I think they do.

Q. The general impression is that they do not go very far?—A. They move in in the spring.

Q. Oh, they do move backwards and forwards off and on the shore? So that you have nothing to suggest with regard to the matter of the protection of the lobsters, simply that the fishermen want to fish a longer season and to catch lobsters down to 7 inches?—A. Yes, that is what will suit me, and it will suit most people in our district.

Q. And you think you can continue to do that with impunity?—A. Oh, I think so.

Witness discharged.

CAPTAIN JESSE MOORE, fisherman, Lower Argyle, called:—

By the Commissioner:

Q. You were also appointed on the delegation to represent the fishermen's meeting?—A. I was.

Q. Do you wish to endorse the statement of the last witness, or have you anything to say?—A. No, I have nothing to say.

ZEBULAH LEBLANC, fisherman, Tusket Wedge, called and sworn:—

By the Commissioner:

Q. Do you represent a certain community of fishermen?—A. Yes.

Q. You had a meeting?—A. No.

Q. What part of the coast do you come from?—A. From Tusket Wedge.

Q. What number of fishermen are fishing in that particular locality?—A. There is a large community there, about 600 fishermen.

Q. And what is the practice there, how many do they fish, two or three to a boat?
—A. Some of them, we have 10 fishermen and we fish in a steamboat that we have. We fish about 5 miles from our island in the winter and in the spring we fish 14 miles off shore.

Q. You go out in a steamboat and fish from dorys?—A. Yes.

Q. How many men in a dory?—A. Two.

Q. Then you carry on lobster fishing the same as you do cod fishing?—A. Yes.

Q. What number of traps do you fish to a dory?—A. About 75.

Q. Do you go in and out every day?—A. Yes, when it is fine.

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Q. Do you haul your traps more than once a day?—A. No, only once.

Q. When do you begin to fish, the same as most of the others, the middle of December?—A. Yes.

Q. And how do you find the fishing when you begin?—A. We find very good fishing, we fish further in in the winter, last winter was very good.

Q. How long do you continue fishing in the fall, do you fish all through the winter?—A. Last winter we were only two weeks home, we had our traps out.

Q. You kept them all out?—A. Yes.

Q. Did you haul your traps during that two weeks?—A. Some we hauled up and baited, some were brought in and some were left out.

Q. When was that two weeks you knocked off?—A. In February.

Q. And when you began again after that, you fished how long?—A. Up till the last of May.

Q. How is the fishing during that spring season?—A. We did quite well.

Q. Do you own the steamer yourself, you ten men that fish in her?—A. I do not own her, I have one share in her.

Q. Who is she owned by?—A. Gaspard LeBlanc and others; we have the steam-boat hired and give him so much.

Q. What size steamer is she?—A. 50 feet.

Q. Have you been fishing that way long?—A. Since spring.

Q. Are there any others fishing with a steamer in the same way?—A. Yes, there is another one, they have been fishing 5 years that way.

Q. Is that a profitable way of fishing, do you get more fish that way?—A. Yes, I guess we get quite a share of the fishing.

Q. Have you any idea of how your shares will divide up as a result of that fishery?—A. I know about what it will be.

Q. What comes to you as a result of your share in that fishery; have you the same share as the others?—A. Yes, I have the same share.

Q. What does it amount to for the season when you wind up the business and divide the earnings?—A. About \$500.

Q. How do you handle your fish, does the steamer bring them in?—A. Yes.

Q. And delivers them where?—A. On the island.

Q. Are they sorted out there?—A. Yes, they are culled there.

Q. How do you divide them?—A. 10 inches and up, between 9 and 10 inches, and those below 9 inches.

Q. What becomes of them, how do you sell them, or dispose of them?—A. We ship the biggest away.

Q. You ship them on your own account?—A. Yes.

Q. That is on account of the company that fish in the steamer?—A. Yes.

Q. And what do you do with those between 9 and 10½ inches?—A. We ship some.

Q. And what do you do with those you do not ship?—A. We sell them to the packer.

Q. And what do you do with all that are under 9 inches?—A. We sell them to the packer.

Q. What proportion will be under 9 inches, one quarter or one half of your catch?—A. About one quarter.

Q. About how many crates do you get a day, big and small?—A. Some days we get six, some four, some three and some two.

Q. That is of what, market lobsters?—A. Yes.

Q. And what proportion of small lobsters?—A. We get three or four hundred weight some days.

Q. Are the small lobsters as numerous outside where you fish with the steamer as they are farther in?—A. No.

Q. You get a better proportion of large lobsters?—A. Yes.

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Q. How are the small lobsters in December, do you get many in December and January?—A. No.

Q. When do you get the most?—A. In May.

Q. Are you fishing in May on the same ground, or do you fish closer in then?—A. No, we do not fish in the same ground, we get more in the first of the season, small ones.

Q. The first of what season? The first of the spring season?—A. No, the fall season.

Q. You get more small lobsters in the fall?—A. Yes, I was making a mistake there.

Q. Is the cannery running in the winter, are you able to sell to the cannery all the winter?—A. Some run all the winter when they have any fish.

Q. Then the cannery is not running every day, just so many days a week?—A. Yes.

Q. Now what is your idea as to the best regulations to have; how would it affect your fishing if we insisted on an enforcement of the 9-inch limit?—A. That will be all right, we are catching more small ones outside than we used to catch; we never used to catch one outside, and now we are catching more every year. They are catching everything and they do not get the chance to crawl inside, we catch them outside, and there are lots of sail boats catching them; if you sell the smaller lobster that long (illustrating) you do not get much for him, whereas if you would allow him to grow until he gets 9 inches, you would get something.

Q. Do you think the present law as it stands should be enforced?—A. Yes.

Q. And what do you think about the present fishing season?—A. I think it is all right.

Q. From the middle of December to the end of May would suit?—A. Yes.

Q. Some people have proposed the same regulations as they have in the State of Maine, that we should let you fish all the year round and fix the size limit at 10 or 10½ inches, how would that effect you?—A. It would be all right.

Q. How would it affect the canner?—A. It would be rough on the canner, but it is a hard job to suit everybody. Some of them were saying that we should leave the big ones and catch the small ones. If you catch a small one about 3 inches long you may get a half a cent for it, and for a big one 11 inches long you would get 50 cents.

Q. How long do you think it would take a small one to grow?—A. I cannot say.

Q. They say they grow 2 inches every year, they are 3 inches at the end of the first year and they grow 2 inches every year afterwards. You have discussed this matter, you have talked it over among the fishermen when you gathered together?—A. Yes, we talked it over but we did not have any meeting.

Q. Do you often talk about these things?—A. Yes, we talk them over.

Q. What in the opinion of the fishermen is the right thing to do?—A. Have the size limit enforced and try to stop them fishing before the season commenced.

Q. Is there much fishing before the season opens?—A. In some years there is quite a lot before the season opens, some of them fish all the summer.

Q. We have heard of that, I know they do it in some places.—A. We want some officer with backbone that will prevent it.

Q. Is there any fishing after the season is over, after the end of May do they still fish?—A. No, they haul up, but some of them may stay on the island, although I do not know what they stay there for; they may be cod fishing, and sometimes you see some pots, but I do not know whether they are fishing for their own use or to sell.

Q. Your idea is that the season is all right if it is strictly enforced, if no fishing is allowed before or after the season, and the size limit is strictly enforced?—A. Yes, strictly enforce the law. Now with regard to these fellows who fish inside if you stop at the 10 inch lobsters they would get hardly any. When I fished first, 15 years ago,

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we used to catch with 22 traps 2½ crates and over of large lobsters, and in some traps there were three or four seed lobsters, but now where we were catching all these big ones they are all small, they do not get a chance to grow, whereas if they would throw them out these fellows who fish inside would get more 9-inch after a year or two.

Q. What has been the practice with regard to the seed lobsters?—A. I heave them away, of course I do not know about the others, but I do know that all of our ten men heave every one away. We chuck them overboard outside, as soon as we notice the seeds we throw them over right away.

Q. What price do you receive for your lobsters?—A. Large or small?

Q. Well, the different kinds, take the small ones, those you sell to the canner, what do you get for them?—A. Last year we got 2½.

Q. Is that by weight or count?—A. By weight.

Q. Have you always sold by weight or is it only lately?—A. Lately.

Q. I suppose as the lobsters got smaller they preferred to buy them by weight?—A. Yes, and it is better for the fishermen, too.

Q. It is more satisfactory?—A. Yes.

Q. And the big ones, do you ship the market lobsters yourself?—A. Yes.

Q. You ship them directly to Boston?—A. Yes.

Q. Do you ship through Yarmouth?—A. Yes.

Q. And you get your ordinary market price?—A. Yes.

Q. At what season of the year do you generally get the best price?—A. In February up to the spring, we have got as much as \$52 a crate.

Q. What have you in the crate, 140 pounds?—A. They call it 140, and sometimes we have 60 pounds more than the ordinary crate.

Q. That is by careful packing?—A. Yes.

Q. And I suppose in cold weather you can venture to crowd them more?—A. Yes.

Q. What is your idea about the matter of licensing canneries, are there canneries enough now, do you think?—A. Yes.

Q. Have you any idea whether the fishermen would do better if they were allowed to can on their own account? Do you think, as a fisherman, you would make more money canning lobsters than by selling them?—A. No, we would not have the time to look after it some days because we start at 2 or 3 o'clock and get back at 9, and we could not do that ourselves, we require to have some sleep.

Q. If they want to run a cannery they must employ men to do the work? That is if they want to fish at the same time. But do you think that the fishermen had better stick to fishing and let others do the canning?—A. Yes.

Q. Has there ever been any attempt to enforce the regulations in your time?—A. Yes, there was a time when we stuck to the 9 inches.

Q. How long ago is that?—A. About ten years.

Q. It is a little more than that, I think?—A. It may be a little more.

Q. I think it was about 1892 or 1893, was it not?—A. I can hardly tell you; I think it was about ten years ago I commenced selling them openly.

Q. Do you know anything about the question of fish hatcheries or fish pounds?—A. No.

Q. You have never been down in the state of Maine where they hold the lobsters in pounds?—A. No, I never saw any of those pounds.

Q. Do you think if the 9-inch limit were strictly enforced and the fishing were only carried on during the legal season that is all it is necessary to do to protect the fishery?—A. Yes, I think that will do it all right.

Q. You think that will save the small fish and give them time to grow?—A. Yes.

Q. Have you anything more you would like to say?—A. No, I was requested by the fishermen to come, they coaxed me and as there was no other fisherman to come, I came.

Witness discharged.

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ALBERT A. POTHIER, merchant, Tusket Wedge, called and sworn:—

By the Commissioner:

Q. You are from the same locality as the previous witness?—A. Yes.

Q. You are not engaged in lobster fishing?—A. I am not engaged in fishing myself.

Q. Were you ever engaged in lobster fishing?—A. No.

Q. Are you interested in the lobster fishery?—A. I am interested in furnishing supplies to the fishermen generally.

Q. You are a merchant down there?—A. Yes.

Q. Do you export lobsters?—A. No, we do not deal in lobsters at all.

Q. You were born and brought up in that same place?—A. Born and brought up there.

Q. You know the condition of the lobster fishery?—A. I know something about it.

Q. How do you think it compares to-day with what it was when you were a boy?—A. I do not think it is as good to-day as it was then.

Q. To what do you attribute the decrease now?—A. The fishermen attribute it to the fishing of small sized lobsters.

Q. I suppose it is pretty generally understood that the size limit is not enforced?—A. I guess so

Q. And never has been in recent years?—A. Not to my knowledge.

Q. Do you think that the fishermen are beginning to understand that that is wrong and that it is necessary to do something to stop it?—A. I think they do.

Q. What is their general feeling on the subject?—A. The general feeling according to the fishermen that I have been talking down there is that they should have a fortnight earlier in the fall and that there should be an 8-inch limit strictly enforced, that the limit be enforced very strictly.

Q. And how about the spring fishing, would you continue to the end of May just the same?—A. Yes, because it would be very inadvisable to close in midwinter because some would have their pots out.

Q. What I mean to say is if you fish two more weeks in December would you take off two weeks at the end of May, or would you fish till the end of May?—A. Continue to the end of May, because there are parts of January and February and the first of March when there is not much fishing done.

Q. Although their pots are out then the fishermen lose so much time going forward and backward.—A. Not only losing their time, but losing their gear.

Q. Do you think if that were done they would be more likely to give up fishing in the winter time or would that always continue?—A. That would continue.

Q. I suppose in some winters the fishing is poor?—A. Yes, the weather is bad, although some winters are mild, the season is not so rough and windy.

Q. Is the percentage of loss of traps very great?—A. In some years it is very large, I know that some springs the loss of traps is about one-third and sometimes even more, on the average it is very heavy.

Q. Have you any idea through your own business of the average earnings of a fisherman from the lobster fishery?—A. It is all according to where they are fishing; those that are fishing inside, what we call 'inside fishermen' average \$150, \$160 and \$200.

Q. That is the gross earnings?—A. No, the net earnings. Those that are fishing outside, such men as Mr. Leblanc refers to, in steamer, gasoline or big sail boat, they go from \$300 to \$400 or \$500.

Q. Can you tell us about how much of that would be from the sale of market lobsters and how much from the sale to the canner? What would the proportion be about?—A. I really cannot tell you that.

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Q. There are some people tell us that one branch of the industry is not as destructive as the other, and that it should be favoured and protected, and others tell us that it is the other branch of the industry should be encouraged, and we would like to know just which is the most valuable one to the fisherman. Which branch of the industry does he derive his largest revenue from and which is he likely to derive the most from?—A. My candid opinion is that if you were to close off the small lobsters altogether, from 9 inches down, it would not be profitable to fish at all, because they get the little ones to pay for their gear and provisions, and all those that go over 9 inches they can ship across.

Q. There are very few of them canned?—A. There are so very few that you can't see them.

Q. Do you not think that in the interests of the fishery, it would be wise to enforce a limit, you say 8 inches?—A. I think it would be in the interests of the fishermen.

Q. Do you not think that in a very few years the small lobster would have grown and the fisherman would have more than made up for the loss of the first year or two?—A. I think so.

Q. If the regulations were adopted and enforced strictly it would be hard on somebody?—A. For a few years.

Q. But ultimately it would be for the general good?—A. Yes, it would be for the general good. I think myself there should be an export duty on anything under 10-inch lobsters.

Q. You think there should be an export duty?—A. On everything under 10-inch, so that the canners would have a nice class of fish to pack, so that they would not bother about getting these 'tinkers,' and they would be able to afford to pay a bigger price, and their meat would be better in the cans and everything else. You understand, according to my idea the canners would profit by it as well as the fishermen, and by not shipping the lobsters from 8 inches to 10½ or 10 inches they would not be filling the market on the other side so full, so that they would reap a greater benefit from their shipments of the large lobsters in an improved price.

Q. That is the first time we have heard that suggestion.—A. The effect of shipping the 9 inch lobster over there has been that it has glutted the market and has forced the price down, so that the net result has been that the fishermen are getting smaller returns for their lobsters, and if that export duty were put on the mediums the market would not be glutted over there and they would get a better price for the large ones. Our American cousins would pay a bigger price for good fish instead of paying a poor price as they do now. I have been to the island myself among the canneries, and I thought it was very small meat they were putting up, but when I saw the shells I saw that the lobsters were only a few inches long. If the law were enforced strictly I think the canner would profit by it, but I think it would be disastrous to close the canneries.

Q. Do you not think the majority of the fishermen would complain about having their business interfered with if an export duty were levied on their fish?—A. I do not think so.

Q. You think they would simply regard it as a means of overcoming the effect of the change in the law in Massachusetts?—A. I would keep the small lobsters here for the canners, and instead of having say 2,000 crates of large lobsters go over there I would only send over say 1,600, and you would get a much larger price for them, and then the packers would get all the 9 inch lobsters to can.

Q. What improvements have been made in the matter of boat fishing the last few years?—A. Oh, there have been lots of improvements, instead of dorys with two men rowing all over the world, they go out now in steamers and gasoline boats and large sail boats. I was in one place this year where they were turning out the seventh gasoline boat since January.

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Q. Have you heard anything of the United States vessels fishing lobsters outside of the 3 mile limit here?—A. I have heard of them, and I have known people who have seen them, and they say that the Americans make harbour around Seal Island somewhere.

Q. How would that affect the fishing?—A. I think it would affect it very much, because they would meet the lobsters coming in and prevent them coming inside. The only way you could meet it is to give our fishermen an open season for the whole twelve months. I do not see why they could not fish all the time, and I think our fishermen could compete with the Americans if they had an open season all the year round.

Q. If you had an open season all the year round what would you do about the size limit?—A. You would have to make the size limit a little larger.

Q. Do you know anything about the conditions in the state of Maine? Is the 10½ inch regulation strictly enforced down there?—A. It is enforced.

Q. I have heard some people from there say that it is enforced and others again say that it is not; that the conditions there are very much like our own?—A. I could not vouch for it myself, but I have known our fishermen to go over there and they have seen the lobsters come into the market, and they say you can tell a case of Maine lobsters every time you see it; as soon as you come to the limit they are cut off.

Q. Then they are very regular?—A. Very regular.

Q. Have you any idea of the effect of passing the present regulation there? Has it had a good effect?—A. It had a good effect in Maine. They are doing better there now than they used to.

Q. Are the conditions in Maine any different from what you have here?—A. I do not think so.

Q. Have they as much rough weather as you have?—A. Yes, or worse.

Q. They have not as much local ice as you have here?—A. No, they have not.

Q. Does the ice running out from the rivers, harbour and channels seriously interfere with the fishing?—A. Sometimes, but not for very long.

Q. At what time of the year would that be?—A. January and February, and sometimes in March there is drift ice.

Q. It is light ice, I suppose?—A. Sometimes it is, and sometimes it is good and heavy.

Mr. WALL.—They have a 9-inch limit in Boston, and I think if you have an open season here you must have the same limit as in Maine.

A. I did not say it was 10½-inch limit in the state of Maine. I said we would want a larger size limit; it is 9 inches.

By the Commissioner:

Q. Is there any close season in the state of Maine?—A. I could not tell you that.

Q. I fancy if you fish all the year round we will have to insist on a large size limit?—A. Yes.

Mr. WALL.—If we have a 10½-inch limit that will allow a man from Boston to come down here and catch our lobsters down to 9 inches and take them to Boston?—A. They can do that now.

Mr. WALL.—If you limit our men to 10½ inches it will amount to this, that the Boston men will come down here and have the benefit of our fishing?—A. They cannot come inside the 3-mile limit.

By the Commissioner:

Q. If we are shipping large fish steadily all the season it would spoil the market for anything under 10½ inches, would it not?—A. Certainly.

Witness discharged.

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ARCHIE BRENNAN, fisherman, Rockville, called and sworn:—

By the Commissioner:

Q. What part of the coast do you represent?—A. Teller's Cove.

Q. Do you come simply to give your own evidence, or do you represent a community of fishermen who met and sent you down here as their representative?—A. Yes.

Q. You have certain views of your own to express?—A. Yes.

Q. Before we do anything else, what were the suggestions your community had to make?—A. The majority of the fishermen there sent me here to advocate a 10-inch limit and the whole season to fish in.

Q. What was it that led them to make that suggestion do you think?—A. I think it was on account of the rumour of an American smack coming here. I think that was the principal reason for it.

Q. Has she been fishing off your part of the coast?—A. No, right below where we were.

Q. What number of fishermen are there engaged in your neighbourhood, roughly speaking? What number of boats are fishing from the section you came to represent?—A. About 50 boats and 100 men. I have nothing to do with the eastern harbour; I do not know what their views would be.

Q. I want to get some idea of the number of boats?—A. Between 50 and 60 boats, representing practically two men each.

Q. What is your season of fishing, from the middle of December to the end of May?—A. Yes.

Q. But when do you get best fishing?—A. Well, the best fishing is according to the season; sometimes, most generally, in April.

Q. Then you do more in your spring fishing than you do in your winter fishing?—A. From the 15th of December we have good fishing, as good as it is in April.

Q. What are the conditions in each different part of the season? Do you get the same run of fish, the same proportion of large fish or a larger proportion of small fish at any part of the season?—A. Yes, I think we get a larger proportion of small fish after the ground is fished over.

Q. Then the later you go the smaller run of fish you would expect to get?—A. Yes, that is the idea.

Q. What proportion of your fish are small, under the legal limit?—A. Well, I should think 70 per cent very nearly; that is to take the ground from inshore right off.

Q. Then a larger proportion of your revenue is derived from the sale to the packer than from the export trade?—A. I do not know that because—did you refer to the number of fish or the value?

Q. Well, to the quantity of fish; you sell your fish by weight?—A. Yes.

Q. Well, give it by weight?—A. I should think it is pretty nearly an even thing; that is take the stock from the factory and the live lobster export trade.

Q. That is you sell the same weight to the one that you do to the other?—A. The same weight, but in the money it is different.

Q. If the weight is evenly divided then the revenue derived from your market fishery must be greater?—A. I was not referring to the weight, but to the money we get.

Q. Then it is about equally divided?—A. Yes, I should think it is pretty nearly.

Q. Has the regulation with regard to the 9-inch limit ever been enforced within your knowledge? Did you ever find any fishery officer insisting that you should live up to the standard?—A. Not of late years; it was done at one time lately by the *Curlew*. She came in and seized some boats in the harbour.

Q. Were they released afterwards, or how did they come out?—A. They all got clear, but I do not know how they did it. They were charged with taking small lobsters.

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Q. Do you think the taking of small fish is destructive to the fishery?—A. In a certain sense it is.

Q. In what sense would you not think it to be destructive?—A. Because we are not saving all the fish; if we did it would not give them any chance at all, but if we let a certain proportion of them go they would grow to make bigger lobsters; all that escape would go to make larger lobsters.

Q. Do you not think that the continued destruction of immature fish must be hurtful to the industry?—A. Yes, I think it is.

Q. Would you say that it should be stopped?—A. I do not know about that, but I say something has got to be done.

Q. What would be the effect of fishing all the year round on a 10-inch limit?—A. Well, I think——

Q. That limit would have to be strictly enforced?—A. Yes.

Q. And then the small fish would be allowed to grow would they not?—A. Yes.

Q. And is your idea that you would do better after two or three years after the fish had sufficient time to grow up to make up for the loss of the first year or two?—A. It is a question in my mind whether it would or not, but there is a general opinion that it would.

Q. Why would it not? What is the cause for your idea?—A. I believe that if we only caught the large lobsters there would be more boats fishing on the offshore grounds, and I believe that most of the breeding fish we are getting come from there.

Q. But they would put them back in the water outside in that case, would they not?—A. Yes, but where you get one with berries on you would get many more without any berries showing, and you would not know anything about it. There are lots of female lobsters taken.

Q. It is generally supposed that between 40 and 50 per cent of the fish taken are female?—A. That is what they say.

Q. You know the difference between the male and the female fish?—A. Yes.

Q. How do you think they run?—A. I think they are practically equal, and at the last end of the season when we fish offshore we get a rather large proportion of mother fish.

Q. With the berries outside?—A. No.

Q. The general impression is that the female lobster comes into shoal water, warm water, to develop her eggs. Do you think that is the case?—A. Well, I think in the case of the inshore lobsters, that is those that are ashore. it is.

Q. Do you not think that all the female lobsters come inshore to spawn?—A. No, I do not.

Q. Do you think they hatch out in deep water?—A. Oh, yes, I think so, because I have caught them anywhere from the 15th of December to the 15th of May both on and off the shore.

Q. With berries attached?—A. Yes.

Q. But I think you will find that the berries are dark and firm and hard, and not so near hatching when you get them early in the season?—A. Well, I do not know so much about that either.

Q. Is the amount of gear fished now very much greater than when you first began fishing?—A. To a certain extent they fish more boats now.

Q. They fish more boats and more gear?—A. Yes.

Q. To what extent has it increased? Has it doubled within your recollection?—A. Yes, it has more than doubled since I started.

Q. What do you think about this question of traps? Do you think we can regulate the proportion of small lobsters that escape by fixing a standard size of opening between the slats? We have a size limit in regard to the mesh in the nets used in the herring fishery in the great lakes, and why could we not have a standard opening fixed for the lobster traps?—A. Of course to a certain extent it would allow small fish out, but I

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do not know that it would let very many of them out. I think the small fish will crawl in and out of the trap.

Q. But do you think if a certain space were allowed between the slats that when the traps were disturbed they would go out?—A. No, I do not think they would; as a general rule I think the pressure of the water on them will keep them in the traps.

Q. There are certain parts of the coast where canning must be the main feature of the industry; there is no prospect of making the live lobster trade a success, and the proposition there is to do away with the size limit and only allow them to fish two months, regulating the capture of the small lobster by a standard trap. We are anxious to get the opinion of the various fishermen who can speak from experience whether we can provide for the escape of the small fish by that method?—A. To a certain extent it will provide for their escape, but if you put the slats very much farther apart than you do now the big fish will work their claws through, and when they cannot get them back they will bite them off and injure them.

Q. What distance do you allow between the slats in making your own traps?—A. Generally we use the pole of the hatchet.

Q. That will be a little under one inch?—A. It is under one inch.

Q. And the slats will swell some in the water, will they not?—A. Yes.

Q. Is it the case that you expect the canner to take everything you send him in the way of fish?—A. I do not know that I expect it, but most generally I do get clear of all that I have that way.

Q. They do not make any bones about accepting them?—A. No, I have heard them make kicks sometimes about too small fish.

Q. That is that they were unreasonably small?—A. Yes.

Q. What length would those lobsters be that were objected to?—A. I had always an idea that you catch lobsters anywhere from 3 inches up, but I do not believe on the average there are any lobsters caught in our community under 6 inches. It is very rarely you see one under 6 inches.

Q. There is another matter I forgot to ask some of the witnesses about. It has been suggested by some of those who have given evidence that the lobster fishermen should be registered, that every man before he goes lobster fishing should go before the fishery officer and take out a form of license and register himself, and that he should sign an agreement to live strictly up to the regulations, a copy of which would be furnished him with his license. The theory of those who suggest this is that a man having done this will feel himself bound by the regulations, and will not only live up to them himself, but will be very likely to see that any other fishermen will do the same, and that if they do not he will inform against them. Of course there is the further idea that a license would not be issued to any man who was found to be violating the law. How would that work do you think?—A. I do not know but that it would work all right, provided it did not cost us anything to get it.

Q. I do not think the idea is to derive any revenue from it at all, but do you think it would have a good effect?—A. I think it would, because if the government enforced the law I would be willing to take out a license and help it out all I could.

Q. Do you think it would answer that way generally?—A. I could not say about the others.

Q. Do you think that a fisherman knowing the law would abide by it without any formal arrangement of that kind?—A. I should think he would.

Q. Having done that himself do you think he would be more liable to inform on his neighbours than he is now?—A. I do not think I would inform on my neighbour if there were any other way out of it, because, supposing there was a man bad enough to break the law and I should inform on him, perhaps next morning I would awake to find I did not own anything.

Q. That is one of the risks you would have to take?—A. It is a risk that I am not going to take.

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Q. Have you heard of fishermen avoiding canners who were known to be scrupulous about taking small lobsters?—A. No.

Q. Some canners have said they have been obliged to take small lobsters because if they did not they would lose their fishermen?—A. Well, in that case I think they would. I think if there was one man ready to take them the others would lose their fishermen.

Q. Do you think the berried lobsters are returned to the water?—A. I think so of late years.

Q. That has not always been so?—A. There was a time I think it was more the fault of the canners than anything else that it was done. When they first commenced to ship lobsters to Boston it was done, but of course they found that the fish would not live to reach Boston.

Q. Have you any experience in the matter of hatcheries and pounds?—A. No, I have not.

Q. The smackmen in the case of the hatcheries take the berried lobsters from the fishermen, remove the berries and send them to the hatcheries, but, of course, the best way is to put the female lobster back in the water?—A. I think if you could get the mother fish from some other place it would be a benefit, but I believe from what I have read and observed the mother lobster will do as well at the hatchery if you only give her a chance.

Q. Is there any fishing done in your district before the opening of the season?—A. Not in our locality, but they will perhaps put out their traps a day or two before in order to be ready for the opening, though not to fish.

Q. Just to secure the ground?—A. Yes, but not to fish.

Q. Is there any fishing done after the close of the season?—A. Not very much.

Q. We have been told there is a great deal of fishing going on all through the year?—A. Yes, there are some who do not stop with the season.

Q. What is done with the fish they get? Do they can them themselves?—A. No, I think the local market takes them.

Q. That would not be very considerable, if it is only the local market that takes them?—A. It takes quite a lot.

Q. But there is no canning done?—A. Not to my knowledge.

Q. The fishermen do not can for themselves outside on the islands and other places?—A. Not to my knowledge.

Q. There are some places where they do can on their own account, in cellars, wood-houses, stables and other places?—A. Not to my knowledge.

Q. Now, as to the matter of licensing canneries, do you think that more canneries would mean more fishing?—A. Would mean more fishermen?

Q. Yes?—A. No, I guess every one is at it now that could go at it.

Q. How are the facilities for the export of fish alive to the market, are they all that you require, all that can be done or that you could expect?—A. Well, I do not know, but what they are.

Q. How do you send your fish; you ship them through Yarmouth, and they are exported from there; how do they come to Yarmouth?—A. On teams.

Q. You haul them?—A. Yes.

Q. What distance have you to haul them?—A. Between two and three miles, I think.

Q. That is the shortest way and the handiest way, in your case?—A. Yes.

Q. What would be your suggestion about this matter of fishing offshore here by United States vessels; how do you think that can be counteracted or met?—A. Well, I do not know, it is a pretty hard question.

Q. Some people say that we should do away with the close season and establish a limit of 10 or 10½ inches, and allow fishing all the year round.—A. Yes, but if you do that, have they not quite an advantage as they can take them down to 9 inches.

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Q. Would it not be the case that there would be so many large fish coming in, because you would have the whole year to fish, that the market for the 9-inch lobsters would be affected?—A. Yes, I think it would.

Q. If there were such a large amount of large fish.—A. I believe that if the 9-inch fish were not allowed to go to the American markets we would have a better price than we get now.

Q. Has the market price for lobsters fallen since the 9-inch lobsters went into the American market?—A. Yes, this last year the market price has not kept up to what it has been in past times, and with regard to the American vessels, they are our own people that are running those smacks, and if they had the winter season to fish here perhaps they would not go across and come back in these vessels, and perhaps the well smack after all would be the best thing for fishing offshore long distances away.

Q. Would there be any probability of the fishermen here going into a similar business with well smacks, carrying it on in the same way?—A. It would be if the Americans came.

Q. Would you not be in a better position to carry it on if you were fishing all the year round?—A. Yes, I think we would be in as good a position as they are for carrying it on if we had the whole season.

Q. Now, is there anything you think of I have not asked you about?—A. I do not think there is. I think with regard to the suggestions from some other districts in favour of a 10-inch limit that they would be prepared to modify that because the Americans would have a chance to take the 9-inch lobsters and we would not, so that it would not save them. The Americans might take the 9-inch lobsters and can them themselves.

Q. Do you not think that a strict enforcement of the law and raising the limit would tend to increase the number of large lobsters?—A. I think it would.

Q. What would be the result of shipping that large quantity of large lobsters to Boston, would it affect the price?—A. I think it would tend to bring the price down.

Q. Then it would be impossible to say that such a regulation would result in better returns?—A. It might not, but still the way that I see it is, that it would protect the lobsters.

Q. But if you catch more large fish and ship them to Boston you might not get any more money?—A. No, we might not.

Q. It would protect the fish but not the fishermen, is that it?—A. That is about it. I believe a man that had the interest of the lobster fishery at heart would not violate the law without registering any more than he would after he had registered. I do not think it would be any advantage anyway. My experience is, I have caught fish fifteen miles to the west of Seal island, and I have hauled up my pots and found them full of these small lobsters. If you take fifteen or twenty traps and go off on the best of the ground that I have usually fished you will have just as good fishing as we had twenty years ago, but after you have fished for a week you will see them commence to shorten up and you will get the small ones. There is one more question I would like to put, and that is, where does the three mile limit extend to?

Q. From island to island.—A. Does it take in Seal island?

Q. Certainly.—A. Then this American vessel must have been fishing three miles inside of Seal island.

Q. The very fact that Seal island belongs to Canada makes it very clear.—A. These Americans have been fishing inside of Seal island, and therefore they are within the three mile limit.

Witness discharged.

MR. LAW, M.P.—I would like, Mr. Commissioner, to put on record the following communication which I received from Messrs. H. & D. Entremont:—

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' LOWER EAST PUBNICO, N.S., September 14, 1909.

'From what I hear them talk the fishermen would prefer the season to open one month or fifteen days earlier in the fall and to close earlier in the spring, say the 1st of May or not later than the 15th May, as there are very few lobsters taken by the inshore fishermen when May comes in, this would give other branches of fishing a better chance; our cod fishermen would get crews to start earlier in the spring. Mackerel used to frequent our shores and we have an idea that lobster buoys, lines and probably old bait break up the schools of mackerel and keep them from coming in. A great many lobster fishermen are netters as well and as mackerel make their appearance on this shore about the 15th to the 20th of May they would like to see all lobster traps taken up then, or before, to give the mackerel a chance to come in. As regards the size limit I think the law is all right now, only enforce it. Of course the factories cannot run on 9-inch lobsters, but the fishermen can send them with the large lobsters to the States; that would protect the fisheries to a certain extent by enforcing the present size limit law. The seed lobster could be bought from the fishermen and put in a pound or hatchery.

Yours, &c.,

H. & D. ENTREMONT.'

The Commission adjourned.

TIVERTON, September 16, 1909.

E. A. GIDNEY, packer, Mink Cove, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster packing industry?—A. For eleven years, but the last two years I have not packed any.

Q. You have always been engaged in the same locality?—A. Yes.

Q. Are you a native of this place?—A. I am a native of Mink Cove, I was born and brought up there.

Q. When you were operating a factory what was the extent of your operations, what was your best pack or average?—A. I would average about 150 cases.

Q. That was the product of how many boats?—A. I bought them wherever I could buy them, all around here.

Q. You collected them with smacks?—A. Yes, I had a gasoline boat, and went up the neck and down the bay.

Q. What was the condition of the fishery when you began compared with what it was when you left off?—A. It was much better when I began, there were more lobsters taken then.

Q. How many packers were operating here?—A. There was only one before I commenced, 30 years ago there was another factory but it went up, Mr. Botelier was packing on the opposite side, in the same cut.

Q. When you first began what were the regulations?—A. We heard about the regulations but never saw them enforced.

Q. Even as early as that?—A. Yes.

Q. Within your recollection away back in '92 and '93 was there not an attempt made to enforce the regulations?—A. We heard some talk about it, but never saw much enforcement, I guess I was the only man they hauled up in the county, they had me hauled up one time for canning short lobsters.

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Q. And how is it to-day?—A. The canner to-day cannot can lobsters over 9 inches because they are worth more in the shell.

Q. If he cannot can the 9 inch lobsters he must take the smaller ones?—A. Yes.

Q. How small do they take them?—A. Oh, the size of 4 inches.

Q. 4 and 5 inches?—A. Yes. A year ago last year I worked at River West on Gaspé Coast in J. W. Winsor's factory and there they threw nothing away.

Q. It is your opinion that the pack is being kept up by undersized lobsters being packed?—A. That is my opinion, but I also know that no man can buy lobsters at the price at which the 9-inch lobsters are and pack them at a profit, and no man will pack without a profit.

Q. Which is the most profitable branch to the fisherman, the live lobster export trade or canning?—A. The export trade.

Q. What proportion of the fishermen's revenue is derived from the export trade?—A. The other is very small in comparison with the export, I cannot estimate it, but it is very small, you see you can nothing but the snappers.

Q. What would it run to when you began?—A. It ran five lobsters to the can and then I was buying 9 inch lobsters, eleven years ago it would average 5 to the can.

Q. How many 7 inch lobsters does it take to fill a pound can?—A. I do not know.

Q. By actual count it takes 9?—A. I was going to say 8; our lobsters are very well meated here, a great deal better than they are up in the Bay of Chaleur.

Q. What is the practice here with regard to the fishermen, do they own their own boats and gear?—A. Yes.

Q. Are any supplied by the packer at all?—A. No, it is nothing like it is up there, in the Bay of Chaleur, every man owns his own; I do not know of any case where a man does not own all his boats and gear himself.

Q. Have you ever done any lobster fishing yourself?—A. Yes, I have.

Q. Have you any idea of the percentage of egg-bearing lobsters in this neighbourhood?—A. It would vary, at some times in the year it is larger than at other times. In the winter you would not probably get one seed lobster out of 60, but in the summer there would be more.

Q. Is it the case that you find more of these seed lobsters in shoal water than off shore?—A. No, I do not think so, I think you will find just as many off shore.

Q. Is it not a fact that they gravitate towards shore to spawn?—A. They might, I have never fished in June, I have seen the time when you could go out at low water and every third lobster you would pick up would be a seed lobster, and that would be in the middle of winter.

Q. If the canners positively refused to accept any undersized lobsters do you think the fishermen would take them?—A. I do not think they would, they might take some home to eat them but I do not know what other use they could make of them.

Q. Have you noticed any general decrease in the space left between the slats in the traps of recent years?—A. Well, I think they are closer than they used to be, in fact I know they are closer than they were 12 years ago when I made traps; I used to leave the width of a lath between them and now they are closer than that.

Q. That would give you about one inch space?—A. Yes, the width of the lath it used to be, but to-day they are much closer.

Q. Would you venture to say what proportion of lobsters taken in the traps are below the legal size limit?—A. That depends upon the locality you fish in; if you fish out in the Bay of Fundy you will get more big ones than small ones, but in St. Mary's bay, you would get six small ones for one big one, and in fact when it comes to March in St. Mary's bay you get nothing but small ones, the large ones have all been caught off.

Q. Do you think that an increase in the number of canneries would mean any increase in the amount of fishing?—A. Not a bit if every man were canning there would be no more lobsters taken than now.

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Q. Every man that can fish is doing so now, you think?—A. Yes.

Q. Is there not a great deal more gear in the water now than when you began?—

A. Yes, but I do not think it has increased very much in the last three or four years, although it has increased greatly in 14 years.

Q. Do you think the decrease in the fishery is still going on? Some people say it has been arrested?—A. I think it is, I think the fishery is gradually decreasing.

Q. You think it must be wrong to take the immature lobsters, besides being very wasteful?—A. If you eat the chickens you cannot get the eggs.

Q. You say there is some difference between the lobsters on this coast and those caught in the Bay of Chaleur?—A. Yes, they are fuller of meat here than they are on the Bay of Chaleur, and it will take fewer lobsters to fill a pound can here than it will up there.

Q. To what do you attribute the decrease in the fishery, to overfishing?—A. Yes.

Q. And to the destruction of the immature fish?—A. Yes.

Q. What has been the practice here with regard to the destruction of the berried lobster?—A. I think the fishermen here are very careful, I never knew of one man that tried to smuggle any seed lobsters.

Q. Was that always so?—A. As far as I know, I never knew the seed lobster to be taken, it is immediately put back in the water.

Q. Do you think there is a better disposition on the part of the fishermen now to save the seed lobster, do they see the necessity of it?—A. Yes, I think there is, I think there is a great deal of difference here, it is not like the Bay of Chaleur where they take everything.

Q. Do you think that short districts and many divisions with regard to seasons and size limits are apt to encourage violations of the law?—A. Yes, some advocate one thing and some another, in some districts they throw away the small lobsters and in others they take them.

Q. How about different seasons in adjoining sections, do you not think that as far as possible there ought to be as few sections with different size limits and seasons as possible?—A. Speaking for our own place where I live, and from my own observation, I should say that in February two lobsters are worth as much as three at any other time, they bring a higher price.

Q. You do not begin fishing until the 6th of January here?—A. The 6th of January.

Q. And you fish up to the 15th of June?—A. Yes.

Q. And in the other districts at the other side of you they stop at the end of May?—A. Yes.

Q. What led to that increase in the length of the season here?—A. I really do not know.

Q. Do the fishermen as a rule fish right up to the end of the season?—A. Some do and some do not.

Q. Are there other fisheries then that they might go to?—A. Yes, I think that right in this locality had the fishermen knocked off earlier they would have done better in the other fishery than with the lobsters.

Q. There is nothing to prevent your fishing here all through the winter, you are not bothered with ice or anything of that kind, it is only the rough weather?—A. Only the rough weather.

Q. Can you fish in February and March?—A. They do.

Q. Is there much loss of gear during February and March?—A. No, not in the Bay of Fundy, there is no need to lose it, but the ice sometimes comes down in St. Mary's bay and cuts the ropes off.

Q. What is your idea as to the protection of the lobster, there is no question as to the failure of the industry, what do you think should be done to bring it back to its former state?—A. I should say, close the canneries, every one of them, and allow nothing to be landed under 10 inches.

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Q. How far on the coast would you carry that?—A. St. Mary's bay and the Bay of Fundy anyway.

Q. And how far to the eastward?—A. Go around to Seal island.

Q. How about farther around the coast?—A. I do not know anything about that coast at all.

Q. Do you know anything about Charlotte County?—A. No, I do not.

Q. Is it the case that canners are compelled to accept undersized lobsters for fear of losing their fishermen who could take them to the other canneries and sell them?—A. They cannot get anything else but snappers anyway to can. I have had to shut my cannery up for two years on account of the high price.

Q. How are the lobsters bought here?—A. By count.

Q. Do the small lobsters count, every one?—A. No, two for one.

Q. What did you pay?—A. 3½ cents for small lobsters is the highest I have ever paid.

Q. The price was a little lower than that last season?—A. Yes, but I think they paid higher towards the close of the season, they went up a little.

Q. How are the lobsters sent to market?—A. From here we export them to Yarmouth by the D.A.R.

Q. Are the facilities adequate for carrying on that trade?—A. Oh, I think so, in a way.

Q. Some people have suggested that the lobster fishermen should be required to register. Have you seen that in the evidence given before the Committee last winter?—A. No, I have not.

Q. It has been suggested that they should take out a license and that they should sign a form containing the regulations, the idea being that any fisherman who signed that would be more apt to live up to the regulations and to inform against any neighbour who violated the law, and that anyone convicted of violating the law would not be allowed to fish in future?—A. Certainly it would have a good effect.

Q. You think it would have an effect.—A. Certainly, I think so, without a doubt.

Q. The effect of enforcing the present regulations strictly would be to close the canneries?—A. Sure, they could not can without the small fish, I could not can without the snappers and I do not see how anybody else could.

Q. Various suggestions have been made to the department as to the best thing to do, some people say shut down all lobster fishing for a term of years?—A. I do not think so.

Q. The Lobster Commission of 1898 recommended temporary reserves, shutting down by sections all around the coast?—A. That means that John could catch them and Jim could not.

Q. Shut off a couple of counties for one year and move that section around to the next two counties next year and so on until all the different counties had been treated alike.—A. It would be just as beneficial to shut them all down at the same time, if you did not they would come across our line and we would go across theirs.

Q. That is what is done to-day, is it not?—A. Yes, one man on one side is chucking over his lobsters and the other man is catching them.

Q. What is the best time for lobster fishing?—A. In the beginning of the season, because the big ones get gobbled up and they get scarce outside, in April they may come in again in the warm weather.

Q. Have you heard this complaint about United States smacks fishing off shore, they are off Yarmouth and Shelbourne?—A. I have heard of it but I haven't any personal knowledge.

Q. What effect is that having?—A. It will produce a scarcity of lobsters there, they are very pretty to come over here and catch our largest lobsters and take them over there.

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Q. Is the present regulation restricting the number of canning licenses satisfactory?—A. I suppose it is satisfactory, but if there were any more canning there would not be any more canned.

Q. Do you think the canneries should be subject to inspection, that is as to their condition and cleanliness?—A. I do not know what benefit it would be, the factory owners are very particular, they are proud of their goods and like to keep them as neat as possible.

Q. There are a great many canneries that are not in such good condition?—A. It affects their own pocket more than anything else.

Q. The tendency of the day is to inspect all food products, and should not the product of the lobster cannery be inspected?—A. The buyer is an inspector himself, and if bad goods go to the market they are not going to be sold.

Q. You do not think an official inspection, such as is given to flour, meat and other foods should be applied to the lobster cannery?—A. It has not any merit, each man's goods stand on their own merits.

Q. How about giving canning licenses to aliens?—A. Oh well, we have Canadians enough to do all our own canning without allowing the aliens to come in; I have a plant that cost over \$2,300 and I cannot run it at all at present.

Q. As the canning failed in Maine, they moved over to Canada, were they not the pioneers in the industry here?—A. Yes, the first canneries we ever had were established by the Americans.

Q. Are the fishermen satisfied with the price they have received from the canners?—A. They have received just what they can get for them.

Q. Is there any competition at all in the matter?—A. No, there is not.

Q. Has there been any case of one factory paying more than another?—A. I never heard of one, the easiest cannery they can smack them into they are going to do so, it would be an awful lot of night work to smuggle them in.

Q. There is no need of doing it at night, is there?—A. You would have to do it at night if there was going to be any smuggling.

Q. It has been said that in some cases fishermen have suffered the loss of their catch because the canners refused to buy their lobsters and to operate their canneries although there was a sufficient supply?—A. The only lobsters the fishermen cannot sell are the snappers.

Q. In some cases it has been said that the canners have shut down their factories and refused to buy their lobsters?—A. That has more reference to the Cape Breton shore than it has here.

Q. Which branch is the best for the industry and the best calculated to continue it?—A. The live lobster trade, there is no comparison whatever.

Q. Should the shipment of live lobsters be favoured in preference to the canning in drafting new regulations?—A. Yes, by all means.

Q. Are the present facilities adequate for the proper handling of the live lobster trade?—A. Oh, yes.

Q. Are any further steps required to benefit that trade?—A. I do not know what further steps would be required unless it would be refrigeration, sometimes some of our lobsters are placed in the boat, when she is heavily loaded, close to the engine and boiler rooms, and they are cooked when they reach there, whereas if there were cold storage facilities they would all be alive.

Q. You think it would be a good thing to establish hatcheries, do you, or what have you to say in reference to that?—A. No doubt it would increase the supply if the berried lobsters were put back in the water, and St. Mary's bay is a natural hatchery.

Q. As to the matter of pounds, what do you say?—A. I do not know anything about them at all.

Q. It has been suggested that the fishermen should bring in their berried lobsters and be paid for them, and in certain instances where the facilities exist, they should

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be placed in pounds and held there until the close of the season?—A. I do not know about that, I have seen the hen sitting on the eggs and bringing them all out, and bring them all up, and I have seen the same number of eggs put in the incubator and the chicks all died; they do best under natural conditions, and possibly it would be the same with the lobster. There could be no more natural condition than to put them back in the water.

Q. If the fisherman is at work off shore and there is any inducement given him to bring the berried lobster in she may be safer?—A. That inducement may be injurious to the lobster.

Q. Is there much fishing done here out of season, either before the opening of the season or after the close?—A. One of the cutters came up St. Mary's Bay the other day and had a lot of work smashing up the traps, and found a lot of boiled lobsters around; I think it was 8 days after the season closed. I saw a load of lobsters going up to the cannery.

Q. Was that the man that was fined heavily?—A. I never heard of him being fined. The only opinion I would like to express is to close up the factories, make the fishermen build their traps with sufficient width between the laths to allow the undersized lobster to go through and protect the seed lobsters so that the fishery will be worth something to the country.

Q. What would you say to the introduction of the same regulations on this coast that exist in the State of Maine?—A. What is that?

Q. The 10½-inch limit and the open season?—A. I think it will be better than it is at present; enforce the law and appoint officials who will carry it out.

Q. Do you think it is wise to have an officer from the place?—A. Yes, have a man who knows all about it.

Q. Our experience is that it is better to have a stranger?—A. That will be all right if he does his work, but if the officer is going to sit in his office with his feet on the chair smoking a pipe there will not be much enforcement of the law.

By Mr. Jameson, M.P.:

Q. You are an expert fisherman, did you ever do any fishing?—A. Yes.

Q. From your experience can you say whether the lobsters crawl on or off the coast or along the coast?—A. Oh sure, they move up and down the coast; for instance, I have heard the fishermen say when I fished, that on the 28th of March they expected a school of lobsters off Westport, and in three days they would be in St. Mary's Bay, that is pretty good proof they move up and down the coast.

Q. What effect would the destruction of berried and small lobsters on the eastern coast of Nova Scotia have upon our water?—A. I think it would affect us very much, the Cape Breton coast you are referring to now.

Q. I might say anywhere east of Halifax?—A. I do not think it would hurt this part of it, but from Cape Sable up I think it would.

Q. From any point west of Halifax?—A. I do not know that anything east of Cape Sable would affect us at all.

Q. You have made a suggestion that all the canneries be closed; should they be closed what would you consider a reasonable notice beforehand in order that they might close up their operations?—A. Close them now at once, give them notice at once; I had to close down myself without any notice because I would not can small lobsters.

Q. You will understand that in the case of the ordinary canneries there will be a quantity of tools and materials on hand from year to year such as cans, &c., and the question is what would be a reasonable notice in order to enable them to evade the loss which would follow from a general closing of these factories without notice?—A. As regards tin and cans, I do not think there are any on hand, we never make up any

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more cans than we think we can use up because they will only rust and deteriorate if left over.

Witness discharged.

AUGUSTUS HARRIS, member of the Executive, Fishermen's Union, Long Beach, called and sworn:—

By the Commissioner:

Q. Do you speak as a fisherman or a canner or a representative of the Fishermen's Union?—A. I am a representative of the Fishermen's Union, I suppose.

Q. Have you been delegated by your union to represent them and speak for them?—A. Nothing more than that I am one of the executive for the western part of Nova Scotia.

Q. How many years experience have you in connection with lobster fishing?—A. Twenty.

Q. And do you devote your attention to any other branch of the fishery?—A. No.

Q. You fish lobsters only, has that always been so?—A. Yes.

Q. Are there many of your local fishermen here who fish lobster only, farmers and others?—A. Yes, there are farmers who fish for lobsters.

Q. And who do not do any deep sea fishing?—A. Yes.

Q. Do these people own their own boats and gear in every respect?—A. Yes, all of them.

Q. How far off shore is the lobster fishery prosecuted here? You have two sides to this peninsula, you have the Bay of Fundy side and the St. Mary's Bay side; is there a majority fishing in the bay?—A. They fish all the way across St. Mary's bay and out from the headland, anywhere from 4 to 9 miles, and they also go out to shoal water as far as 9 miles from Westport.

Q. And on the Bay of Fundy side?—A. They do not go very far, the water is too deep when they get very far off shore.

Q. What is the greatest depth of water into which they go?—A. Perhaps 30 fathoms.

Q. I suppose the traps are all fished on single lines, there are no trawls here?—A. Most of them are single.

Q. Do some of them fish trawls in shoal water?—A. A very few.

Q. What do you consider the average value of a trap with its line?—A. 75 cents and over.

Q. Do the fishermen as a rule make their own traps?—A. That is unless for very deep water when it costs a little more for the rope than 75 cents, and they generally make their own traps.

Q. Is the annual catch decreasing?—A. Very rapidly.

Q. Are there many more fishermen fishing now, and do they fish more gear than when you first began fishing?—A. Oh, yes, nearly double what it was years ago.

Q. Then it is safe to say that it takes an increased amount of gear in order to keep up the average of the catch?—A. Yes.

Q. Is the average size of the lobsters as great now as it was when you first began to fish?—A. No, it is not as large, they are decreasing in size.

Q. What proportion of the lobsters now taken would you say are below the legal size limit?—A. About 8 illegal lobsters under the 9-inch limit are taken to every one of the large ones.

Q. That is to every one from 9 inches up?—A. Yes, from 9 inches up—at least I do not just mean that, I mean from 10½ up; take 11 lobsters, and one will be large, 2 will be from 9 to 10½ and 8 will under 9 inches, that is in St. Mary's Bay; the proportion will not be so large in the Bay of Fundy.

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Q. What is it in the Bay of Fundy?—A. There will be 4 tinkers, 2 from 9 to 10½ and one 10½.

Q. Is there any difference in the trap you now fish with compared with that in use when you began years ago?—A. Yes, I doubt if the space between the laths will now average three-quarters of an inch, and it used to be one and three-quarters.

Q. That reduction must have been made for the purpose of holding the small lobster, was it not?—A. Certainly, that is the only reason.

Q. Do you think we could protect the general run of small lobsters by insisting on a standard trap with a certain space between the laths, say one and a half inch?—A. Yes, I have always been of that opinion.

Q. You think that would govern it largely?—A. Yes, I could give you the figures of lobsters that I counted myself and the number of traps; one man fished 38 traps and he had 381 lobsters, 152 from 9 to 10½, and he had only 12 tinkers; another man had 96 traps closely lathed, and he got 36 large lobsters, 156 from 9 to 10½ and over 400 tinkers. Three boats with the same number of traps will make just about an average of that, in other words a man with what you call the legal trap that will not hold the tinkers had just as many shipping lobsters as the man had with three times as many traps with the laths close together.

Q. What do you think of that proposal to have the lobster fishermen register, do you think there is anything in it?—A. I think it would have a good effect if you took away the right of a person to fish if he were detected fishing illegal lobsters; I think that would have a good effect; I think the best effect would be to have a fishery inspector to inspect all the traps before they leave the shore.

Q. Of course that would have to be done if any such regulation were adopted. And you think that would be of good effect?—A. Oh, yes.

Q. Some fishermen say it would not make any difference.—A. I know it makes a difference.

Q. The fact is that the space in the traps has been narrowed down gradually, and that could only be for one reason, that is to take the small fish?—A. Yes, certainly.

Q. Do you think the regulations with regard to the berried lobsters have always been strictly observed here?—A. No, they have not.

Q. Which branch of the fishery do you consider is the one that should be protected, if they have to make any discrimination, the fresh lobster industry or the canning?—A. The fresh market industry of course.

Q. And any regulations that are proposed, any new regulations that may be adopted, should be made with a view to protecting the market fishery which is the least destructive branch?—A. Yes.

Q. Even if that were done at the expense of the canneries?—A. Yes, I think the cannery should go, especially where we have the United States markets open to us.

Q. Have you a general knowledge of the coast; how far along the coast do you think a 10½ inch limit could be safely imposed from here to the eastward? Would it be safe to do that as far as Halifax?—A. It would be best for the fishermen if it could be done, and there is no doubt but it would be best until this 9-inch market was opened up in Boston, but now the conditions are different to what they were at that time, and I think that if we had a 10½ inch law it would probably give the fishermen more money and protect the fishery better than anything else.

Q. Do you think if we established a 10-inch limit we could venture to open the season all the year round?—A. I do not think it would be profitable at all, the fish would be caught up in the summer time when the prices are low, and we would not have half as many fish in the winter when the prices are high.

Q. But they need not fish if the prices were not good?—A. But one-half the people would fish.

Q. And if there is a loss it would be their own affair?—A. Well, I know, but it would be better not to fish. I know of parties who have fished during the illegal

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season, and you can catch more lobsters on our coast here in five traps between the 1st of September and the 1st of November than you can in 80 traps in the winter season. I know it to be a fact that in the fall you can take these large quantities, I have seen 40 taken out of a trap, and in the same place I have seen in the winter time 5 large lobsters taken out of 80 traps, and perhaps 10 and 15 for an average.

Q. Do you think you would ever deplete the fishery if you enforced strictly the 10½-inch limit?—A. I do not think you would, if you also protected the spawn lobster.

Q. That goes without saying. Talking about that spawn lobster what, in your idea, is the best way to protect her?—A. If the fishermen were paid for her, either to throw her overboard or to bring her in and put her in a suitable pound, every one.

Q. Do you think that you find more female lobsters with eggs on in shore late in the present season than you do when you first begin fishing; do you think they gravitate towards the shore?—A. There is no doubt they gravitate towards the shore, I know on the southern shore they come in in great quantities.

Q. As to the movements of the lobster, does he move along the shore or back off into deep water?—A. I think the lobsters do both, those that are coming in shore come in from the deep water.

Q. Do the lobsters winter in this bay?—A. Yes, they winter in this bay, but they are off in deep water, they are not so much in shore as they are at other times.

Q. You think in this bay there is a movement in and out?—A. Yes, there is a movement in and out, no doubt there is a class of lobsters that come in in the spring of the year in March, a lot of spawn lobsters coming up into the bay into the shoal water for the purpose of laying the eggs and hatching them out.

Q. Have you any idea what is their spawning month?—A. Yes, August this year, but principally in June and July.

Q. By spawning you mean that they carry the spawn, the eggs were extruded?—A. What I mean by spawning is laying their eggs which do not hatch until August and September.

Q. Do you think it would be fair to charge the canner a larger fee with which to establish a fund for the purpose of paying the fishermen for the berried lobsters?—A. I do not think you should allow the cannery to remain in business at all.

Q. There are some places where you must have canneries, you cannot avoid it, because it is the only branch of the fishery that can be carried on?—A. I see the idea, but where we have the fresh fish market to send our lobsters to I do not think any cannery should be allowed. East of Halifax, of course, they have no market of that kind, and they must have canneries. In those places, of course, it would be all right to charge an increased fee as you suggest.

Q. Do you think it would be feasible for the department at Ottawa to send somebody down to meet the fishermen and to explain to them the necessity for certain regulations and the advisability of protecting the berried lobsters themselves? The Agricultural Department sends out men to instruct the farmers as to the best rotation of crops, the best classes of stock and so forth to raise, and do you think anything would be gained by doing something of that kind for the fishermen?—A. Yes, I am a very strong advocate of something of that kind, I have been advocating it for years.

Q. The members of the Fishermen's Union tell us that it is part of their creed to invariably protect the berried lobster and put her back in the water; do you think there is a better feeling on the part of the fishermen with regard to that matter, that they are beginning to see the necessity of protecting that fish particularly?—A. I think so, in fact I know that in very many places they are protecting it better than ever they formerly did.

Q. As to the matter of hatcheries, have you any experience in them, and would you advocate the establishment of more hatcheries for lobsters?—A. What kind of hatcheries do you mean?

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Q. I mean a hatchery where the eggs taken from the female lobster at the canneries are hatched in jars?—A. I think where the canners are allowed to can the spawn should be taken from the seed lobster and sent to the hatchery to be hatched. I think that is a very good idea.

Q. There are those who advocate pounds rather than hatcheries; of course there are some places where pounds could be established, but there are many places where that could not be done.—A. Well, in this part of the country it will have to be done, because no one here ever saves the spawn lobster to bring it into the market, they do not take the spawn lobsters to the cannery here.

Q. In this locality you are in favour of a pound rather than a hatchery?—A. There is no other method.

Q. Taking the coast generally, what do you think about the issue of canning licenses, do you think there are licenses enough issued now or would you advocate the granting of more licenses? The fishermen generally have the opinion that if there were more canneries there would be more competition and they would get a better price for their fish?—A. I think every man should be treated alike, all should be allowed the same privilege.

Q. That is, you would give a license to every man that applied for it?—A. To every man that applied for it with the assurance that he could put up good goods.

Q. Do you think that an increase in the number of canneries would mean an increase in the amount of fishing done? The department has been keeping down the number of canning licenses because it was thought in that way that the amount of fishing done could be kept down?—A. It would in places where they have no fresh fish market; of course this would apply more to eastern Nova Scotia than to western Nova Scotia.

Q. I understand you to say, of course, that you would favour the encouragement of the live lobster trade in preference to the canning?—A. Oh, yes.

Q. Do you think that any lobster cannery can exist to-day and observe the size limit?—A. No, not where the fresh fish market is open.

Q. Well, can they do so anywhere?—A. Oh, I should think they could down in Cape Breton and the eastern coast, there the large lobster ought to be sufficient to allow them to do so, but perhaps they could not.

Q. What they say is this: that some of them might struggle on for a few years in the hope of conditions improving, but most of them say that they would be put out of business?—A. Yes, it would depend a good deal on the conditions, but if they opened up hatcheries and protected the seed lobster they might be all right.

Q. Do you think there is any combination on the part of the packers to keep the price down?—A. Not here, that I know of.

Q. Who fixes the price paid for the lobsters?—A. Well, the Boston market rules.

Q. Have the fishermen anything to say in the matter?—A. Well, we know all about that for the live lobsters.

Q. But for the canning?—A. The price of the live lobsters rules it largely, if they are down the canners drop the price here, or it is dropped anyhow.

Q. Would you favour any change in the existing size limit for this district?—A. Well, as I said before, a 10-inch limit all over here would be better.

Q. A 10 rather than 10½?—A. Yes, 10 inches rather than 10½.

Q. Why did you put the ½ inch on?—A. Because it was the large lobster going into the Massachusetts market, and 10 would be small, but the fact is they could not ship the 10-inch lobster into the Massachusetts market at that date, but they could to New York.

Q. It always seemed odd to me, and I could never understand why they put that half inch on?—A. Well, 10 inches is just as good a lobster as 10½.

Q. Can you give any reason why the limit should be larger in one locality than in another?—A. Yes, I think that in eastern Nova Scotia the lobsters run smaller.

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Q. Was that always the case, even before they were run out as they are now?—A. I think so, I think they are a smaller breed of lobsters anyway.

Q. What is the largest lobster you ever saw, what did it weigh?—A. Seven and a half pounds.

Q. The policy contemplated by the department in framing the regulations is the taking of the large lobster and leaving the small ones untouched. Is there any kind of trap you think better adapted to carry out that purpose than another?—A. One with a wide space between the laths and a larger mesh in the net.

Q. Is it true, as stated by some, that a larger percentage of lobsters is required in the fall than in May and June, to fill a pound can?—A. Well, yes, they have shed their shells just a short time before and are not as full of meat; the December lobsters are not as full of meat as those caught in January and February, they are meating all the time, and get up to their best in May and June.

Q. What would you say is the most active period of the fishery?—A. When they commence to catch them in January for the first two weeks is the time they catch most.

Q. Is the present regulation regarding the close season satisfactory, if not, what would you suggest by way of change?—A. I think the present season is all right, I do not see that you can better it much, it is a little less than five and a half months.

Q. As to the existing facilities are they adequate for the profitable handling of the live lobster industry and if not what would you suggest to improve the condition?—A. We want cold storage from Yarmouth to Boston, there are heavy losses made every year and it is a great disadvantage to shippers to be obliged to put ice in the crates, it takes up space that might be filled with lobsters instead of ice and then on account of heat on board the steamer there is a great loss of lobsters.

Q. Do you think that in the course of a few years the live lobster trade will have altogether replaced the canning?—A. On this coast west of Halifax I think it will.

Q. Has the shipping of live lobsters proved satisfactory?—A. Yes.

Q. And have the prices been more remunerative than the price obtained from the cannery, that is to the fisherman?—A. Oh, yes.

Q. Is there anything you want to suggest in addition to what you have already said?—A. Well, the local inspection.

Q. I forgot to ask you about that, do you think the cannery should be subject to inspection, that is the cannery itself?—A. Oh, yes.

Q. There are many canneries that are not properly equipped, in some places we found tables rough and sour, uncovered so that they could not possibly put up good meat.—A. Yes, and such canneries lower the price of canned goods because there is no inspection. But I was referring to the local inspection of lobsters, to have them inspected here before they go to Yarmouth, and not allow them to reopen them up in Yarmouth. Oftentimes the inspector there will throw away or confiscate a crate, or several crates of lobsters that come from some other place.

Q. For what reason?—A. If he finds a few undersized lobsters in a crate he will confiscate the whole lot and about two hundred yards away the canners are allowed to put up hundreds of thousands of the same size of lobsters all over the country, I have seen them going by the inspector openly to the cannery, not two hundred yards away from the very place where he is seizing the crates belonging to the fishermen here. We have to contend with that every year, and I would advocate a better system of inspection at the point of shipment instead of having it done at Yarmouth; after they are inspected at the point of shipment they should not be allowed to be opened there.

Q. On the other side of Yarmouth we found that they are often inspected there by the local officer whose certificate was attached to the crate and still they were opened.—A. It is a little difficult to do that, but I think we should have an official tag to put right on the car when they are inspected at the point of shipment so that they would not be inspected at Yarmouth. Imagine a farmer if he has packed a

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barrel of apples ready for shipment having that barrel turned upside down at Halifax for examination and then filled up again to go forward, they never can put them back again as well as they were packed before, and it is just the same with the lobsters, they can never get the same quantity back in the crate again and there is a good deal of 'cabbaging' done there, they like to inspect them so as to be able to 'cabbage' them. I do not quite gather the import of your question about the inspection of canneries; I should advocate the inspection of not only the lobsters, but of the haddock and all other fish.

By Mr. Jameson, M.P.:

Q. With regard to the seed lobster, Mr. Harris, I would like to ask you what your experience has taught you with regard to the seed lobster. I asked the department to consider the advisability of establishing a lobster hatchery in this county and I was told by one of the officials in that particular branch of the department that it was impossible for us, in Digby County, to obtain the seed lobster in sufficient number to supply such an institution, I thought he was mistaken, and I have since been informed in different parts of the county that we can get them in sufficient number and ample quantity before the season is closed. What do you think about it?—A. Well, they take the seed lobsters from the first day of the season, but once they carry that spawn through the winter, and once the eggs have been laid so late in the season that the water is not warm enough to hatch them, they have to carry them all the winter until they get the heat in the spring of the year to hatch; they will not hatch in cold water.

Q. But what time of the season do you take them in any quantity?—A. They commence to come in numbers the last of March when this school comes in that Mr. Gidney mentioned, that comes in from off-shore into the warm water to spawn in St. Mary's bay and places like that, my experience in the pound is that by the 1st of July one-fifth of the lobsters have spawned.

Q. They are fairly plentiful along towards the close of March?—A. Yes.

Q. Then you have the months of April, May and June?—A. In June, yes. In June I should say that one-half of those that are going to spawn have spawned.

Q. Then the boats fishing lobsters will take a good many on the average per day or per week?—A. The spawn lobsters are not as easily caught as the other lobsters.

Q. I know they are not?—A. I say they are not myself, and the reason why they are not is that they are like a setting hen, you cannot catch as many setting hens as you could hens that are laying, for the reason that as soon as the hens begin setting they get off by themselves and you cannot get them; so it is with the lobsters, you do not catch them, but I know they are there all the same.

Q. How many seed lobsters would the ordinary boat take in the course of a week?—A. They would average from one to three, it would depend on the locality; get up in St. Mary's bay, for instance, and there are quite a number of them.

Q. How many fishing boats are there employed in the lobster industry in Digby county?—A. I have not struck that question before, but I think there might be 500.

Q. Would it be safe to say that during the months of April, May and June, they would average three per week to the boat?—A. Oh yes, all of that.

By the Commissioner:

Q. I expect what the officer meant was that it is very difficult to take the eggs off the lobsters before they are fairly ripe; if you get a lobster very early in the season you will destroy the eggs in taking them off unless they are beginning to ripen. Where they have hatcheries they take the eggs late in the season. I think myself that the lobsters here should be farther advanced, here the eggs should ripen earlier than they do farther eastward?—A. There is another thing I learned by experience, and that is that at the time I had 30,000 lobsters in the pound, I put no spawn lobsters in, but

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when I shipped them in July 6,000 of them were spawn lobsters. Now a large proportion of this spawn would hatch in August and September, however quite a number of them spawned after that and carried their spawn all through the winter, and in shipping again in February I found a large number with spawn on them, and that spawn which was wintered over would hatch in June, in the pound, and I have seen them and shown them to other persons.

Q. I suppose that many of the lobsters when you put them in the pound had no berries attached, they were extruded after you put them in there?—A. Yes, all of them, we never buy spawn lobsters here you know.

Witness discharged.

HIRAM OUTHOUSE, fisherman, Tiverton, called and sworn:—

By the Commissioner:

Q. How long have you been engaged fishing lobsters?—A. Five years.

Q. What other fishing do you do besides lobsters?—A. All kinds.

Q. You are a fisherman rather than a farmer then?—A. Yes.

Q. What are the particular fisheries carried on here apart from the lobster fishery?—A. The herring fishery, cod, pollock and hake.

Q. What is your earliest fishing in the spring?—A. We go at the halibut fishing early in the spring which ends in February sometimes, or in March.

Q. When do you begin the cod fishing?—A. About the 15th of April.

Q. And when do the herring strike?—A. About the last of May.

Q. Do you do anything in mackerel here?—A. We have no mackerel.

Q. In the lobster fishing you own your own boat and gear?—A. Yes.

Q. When do you first start in the lobster fishing?—A. The 6th of January.

Q. You always go out promptly at the opening of the season?—A. If it is not too rough.

Q. How long does it take you to set your traps in the fine weather?—A. From the time it gets light to dark.

Q. You do it all in one day?—A. Yes.

Q. You fish how many traps?—A. 100.

Q. All on single lines?—A. Yes.

Q. In what depth of water on the average?—A. About 20 fathoms.

Q. That is the first time you set out?—A. Yes, I am fishing off shore in the Bay of Fundy, in St. Mary's Bay in about 10 fathoms.

Q. Do you fish in the Bay of Fundy all the time?—A. Yes.

Q. What distance will 20 fathoms put you off shore?—A. A quarter of a mile out.

Q. You never go to the outlying reefs?—A. No.

Q. How do you find the fishing first in January?—A. Good fishing.

Q. How are the lobsters do you think, are they there then on the ground or are they moving in?—A. They are there already.

Q. Do you notice there is any disposition on their part to move on?—A. They are always moving on shore.

Q. Do you ever find them moving off shore?—A. No.

Q. Do you fish throughout the whole season in the same depth of water?—A. Yes, about the same.

Q. You do not move closer in?—A. Oh yes, we move as far in as it will allow you.

Q. Into what depth of water?—A. Into about 3 fathoms.

Q. How is the fishing in 3 fathoms?—A. When you first get your traps there there is good fishing for two or three days, but after that you have caught them off.

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Q. How is the fishing to-day as compared with what it was when you first began?
—A. As to size?

Q. Yes.—A. Only about one-half in size.

Q. They are only about the half of the same size?—A. Yes.

Q. Is there a large proportion of market lobsters?—A. No.

Q. Are you fishing more gear now?—A. Almost double.

Q. In former years you made much better fishing than you do with double the amount of gear now?—A. In the early days you only had two or three boats, and now we have 25 boats with more gear.

Q. Is it the fact that every one who can fish lobsters does fish practically?—
A. Well, yes, all are at it that can make it pay.

Q. Are there any fishermen who do not fish lobsters at all and who carry on the other fisheries?—A. Oh, yes.

Q. How is that, are they disgusted with the lobster fishery or is the other fishery more profitable?—A. They find it more profitable, if every one went catching lobsters they would not make expenses, there are only so many lobsters to catch.

Q. What proportion of your catch are market lobsters and what proportion are sold to the canners?—A. We sell none to the canners.

Q. Do you sell them to the smack?—A. No, they are all shipped.

Q. What do you do with the small ones?—A. We throw overboard all under nine inches.

Q. You do not bring them in?—A. Only if some fellow wants a mess we bring them in sometimes.

Q. They you live strictly up to the law?—A. As far as the nine inch limit goes.

Q. That is about the only part of the law that is violated?—A. Well, in the Bay of Fundy they have a 10½ inch lobster, and on the boundary line we can take a nine inch lobster if we wanted to, so we are safe in that.

Q. How would it affect you if the limit were fixed at 10½?—A. 10½, 10 inch would be a great deal better.

Q. Do you not think if the limit were fixed at 10½ inches that these small lobsters would in a very few years grow to be large ones?—A. Yes.

Q. They are supposed to grow 2 inches in every year so that it will not take them long to get up to a standard size?—A. They soon grow.

Q. And if the fishermen did have to tighten their belts for a year or two they would all hold up better in the end if the regulations were fixed at a higher limit and strictly enforced?—A. I do not think it would tighten the belt at all because these small lobsters going to the market hold the price down.

Q. When is the market at its best?—A. The last of February or March.

Q. I suppose that is because the lobsters get to market in better order and there are not so many coming in?—A. That is it.

Q. You lose in lobsters in that way?—A. We lose in lobsters in that way after they are shipped.

Q. What do you think about that proposition to register or license the lobster fishermen, do you think there is anything in it?—A. I think it will be all right.

Q. You think so?—A. I think so, if it is carried out at all. If the man saw that he would be driven out of business and could not go into it again if he violated the law he would be apt to carry on his business carefully.

Q. Do you think the fisherman would inform on his neighbours or friends?—A. One fisherman would hardly inform on another, that is the way it is.

Q. What has been the practice here in the past with regard to the berried lobster?—A. Of late years since they commenced to ship their own live lobsters the fishermen have thrown them overboard, but when selling to smacks they scraped those lobsters and put them into the smack getting paid for all of them, although they died afterwards, but now if the fisherman has one in the crate she is dead and he does not get any pay for her.

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Q. If the slats in the trap were set wider apart would it allow the small lobsters to escape?—A. I know it would, I have proved it.

Q. Tell us in your own words what you think about it?—A. We always used to set our slats one and a half inches apart and we would not get anywhere near as large a share of small lobsters, from 9 to 10½-inch, but after we had got down so that the small lobster got up to a good price, we had to take laths and put them in between the others so that we could catch our 9 to 10½-inch lobsters which we were losing before.

Q. What size opening do you think would be reasonable?—A. I think one and a half inch.

Q. A lobster can go through a pretty small hole?—A. Yes.

Q. And for the mesh at the end?—A. Two and a half inch for the mesh, but the mesh hasn't very much to do with it, it should be the laths.

Q. The laths all over?—A. The laths all over except the actual bottom.

Q. Do you find more spawn lobsters at any one time of the season than another?—A. No.

Q. About the same average?—A. About the same average.

Q. How many would you say there were in the season, from the first to the last what would be the percentage of berried lobsters caught?—A. We would not get one out of a hundred, I am speaking of the Bay of Fundy only.

Q. And in St. Mary's Bay, have you any idea what the percentage would be there?—A. Well you might average one out of a hundred, but you haul up the seed lobster today in your trap and you throw her overboard, and the next day the fellow next to you may get her, and two weeks afterwards you may get her again, the same lobster.

Q. Have you ever marked them?—A. I have seen marks on them that I can tell them by.

Q. That is the general impression, that there will not be more than 5 per cent of berried lobsters?—A. Not in the winter, I have never fished in the summer.

Q. You are only a winter fisherman?—A. Yes.

Q. What is the smallest sized lobster you have ever seen with eggs on?—A. I have only seen one under 10½ inches.

Q. What suggestion would you make with regard to the regulations; what would you favour if it were left to you to do it yourself?—A. If I had my way I would throw all away up to 10 inches.

Q. That is to say you would enforce a 10-inch limit?—A. A 10-inch limit.

Q. And how long a season would you have?—A. I think up to the 1st of June would be sufficient for us here.

Q. What is the average price in the Boston market, what would it run at one season with another?—A. The price of lobsters?

Q. Yes, the price of the lobster?—A. A single lobster?

Q. A single lobster about 10½ inches?—A. About 30 cents that is taking the winter season up till April.

Q. What is the highest figure you have ever received?—A. About 45 cents.

Q. Was that after all costs were paid?—A. After all charges were paid.

Q. Can you give me any idea of the average earnings of a good lobster fisherman, what he makes in the season?—A. It is the average you ask for?

Q. Yes.—A. I think \$180 a year is a big average.

Q. That is a much lower rate than a good many others have confessed to, we have heard of a boat, a fisherman and his helper who have made \$500 you know?—A. Yes, I have heard of that too, but you asked me for an average.

Q. Yes, that is it, some do not go to deep water at all?—A. Some lobster fishermen hardly pay their expenses.

Q. Do you think the fishermen are getting to be more careful about the berried lobster than they used to be?—A. Yes, certainly.

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Q. Do you belong to the Fisherman's Union?—A. No.

Q. Have you any idea whether it would be better or worse for the fishery to establish hatcheries or pounds or any of those things?—A. I think that a lobster in its own natural water would be better than anywhere else. I have seen it tried often.

Q. Yes, But there are some places where we cannot be sure that the fishermen are going to put the berried lobsters back and there we have to get him to bring those lobsters in, and when he does so we must buy them from him and secure them in a hatchery or in a pound. Have you ever given the matter any thought?—A. No, I have not.

Q. Is there any fishing done before the season opens here or after it closes? Any considerable quantity?—A. Not much, now and then there may be some.

Q. Did you ever hear of any canning being done after the season closed?—A. No.

Q. What do you think about the matter of licensing canneries, do you think the policy of the department is correct, to keep down the number of canneries?—A. I think if there is going to be canning done you should let everybody that applies have a license.

Q. If there were more canneries would it mean more fish being caught?—A. No, I do not think it would mean any more fishing.

Q. You think that practically everybody who is likely to engage in the lobster fishery is at it already?—A. Yes.

Q. Would you favour the encouragement of the live lobster trade in preference to the canning?—A. Oh certainly.

Q. Do you think the fishermen generally would make more money if they were canning on their own account?—A. Putting up their own small lobsters?

Q. Putting up their own lobsters, we will not say anything about the small ones?—A. I think he would be getting all that there is in it if he did so.

Q. But it requires some practical business knowledge, do you think every fisherman possesses that?—A. Well, all around here they do, they understand putting them up very well.

Q. What do you think about this matter of having different open seasons and different size limits in adjoining sections?—A. I think it is a good plan. Take the County of Yarmouth which opens on the 15th of December, they have their lobsters in the market now, and they have the market before Digby County comes in and that gives us a good deal better price; if we went in at the same time as they did we would have a smaller price, and in February we would have no lobsters to ship, our lobsters would have been all caught up, and we would not make nearly as much as we do now.

Q. If the fishermen have other fisheries in which they could engage do you think it would make much difference to cut something off the end of the season?—A. It would not make very much difference here, after April because only half a dozen men continue at it, the others knock off, they could not make it pay.

Q. I think you have told me that the best part of the season with you is at the beginning?—A. At the beginning.

Q. Have you all the facilities for the shipment of live lobsters that you could expect? Is there anything that could be done to help on in that matter?—A. Well the first shipment when it is made the weather is generally too cold, that is in January, and we lose quite a lot of lobsters, and after April comes in it is a hard job to get the lobsters to the market before they die because the weather is too warm for them. If we had cold storage to ship them it would be better. Another thing we have against us here is that we have to put our lobsters aboard the boat a day earlier than we ought to in order to catch the Boston boat; we have to ship on Tuesday morning in order to catch the Wednesday boat and that makes the lobsters too long on the way.

Q. Have you only one boat by which you can ship?—A. Only one boat.

Witness discharged.

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The following fishermen were present, Hadley Blackford, Newman Small, Rayland Raymond, Charles Brown, Byron Blackford, William Walters, Arden Small, Irvin Pyne, Thomas Clifford, Warren Powell, Nicholas Outhouse, Murray Small, Foreman Outhouse, John Clifford, Elden Elliott, Reeve Mackay, Edgar Outhouse, Gorham Elliot, Hobson Outhouse and John Clifford, Senior, fishermen, Tiverton, and in reply to the question:—‘Do you approve of this evidence favouring a 10 inch limit with a strict enforcement of the law?’ did not dissent.

GEORGE CLENNAN.—The fishermen of Little River, five miles above here will approve of the evidence and the recommendations.

Mr. JAMESON, M.P.—You are familiar, Mr. Harris, with the fishing in the Bay of Fundy and St. Mary’s Bay?

Mr. HARRIS.—Yes.

Mr. JAMESON, M.P.—I think in your evidence you intimated there is a difference in the size of the lobsters taken in these bays, you said the St. Mary’s Bay lobsters were really smaller in size?

Mr. HARRIS.—Yes, they are shorter and stouter.

Mr. JAMESON, M.P.—Is there any way of distinguishing between them in any way?

Mr. HARRIS.—Yes, I can tell them as soon as I see them; the St. Mary’s Bay lobster is darker in colour and stouter, and the Bay of Fundy lobster is lighter in colour and slimmer.

The COMMISSIONER.—I think you told me that there is some fishing done out of season.

Mr. HARRIS.—I mean more particularly on the other shore; the fishery officer gave them the privilege of catching lobsters for cod bait during the close season, they are allowed to put out four traps, and they can catch more large lobsters in those four traps, during the close season than they can catch in 80 traps during the season.

The COMMISSIONER.—About the difference between the lobsters you get in the Bay of Fundy and those in St. Mary’s Bay?

Mr. OUTHOUSE.—The St. Mary’s Bay lobster has a short nose, he is generally a good lobster, while the Bay of Fundy lobster has a nose anyway from an inch and a half and over and is not as dark as the St. Mary’s Bay. The St. Mary’s Bay is a dark lobster whereas the Bay of Fundy lobster is a brighter colour. Mr. Harris said that there were more of those tinker lobsters caught here by five to one in St. Mary’s Bay than in the Bay of Fundy; that means that there are more lobsters hatched in St. Mary’s Bay which is a natural hatchery.

The Commission adjourned.

METEGHAN, September 17, 1909.

J. A. ELLIS, canner, Cape St. Mary, called and sworn:—

By the Commissioner:

Q. Are you a canner?—A. Yes, I have been a fisherman, but I am a canner at present.

Q. How long have you been engaged in the canning?—A. About 8 years.

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Q. What has been the average output of your cannery, one year with the other?
—A. I should think about 600 cases, sometimes more, sometimes less; we have gone as high as 800.

Q. What did you do this year? Was this a poor year with you, it seems to have been generally?—A. We only canned just a shade over 300.

Q. What did you attribute the small pack this year to, the bad weather?—A. To the market in the United States for the 9-inch lobsters, we could not pay the price for the 9-inch lobsters to get them.

Q. Is there a very large proportion of lobsters caught in the bay shipped to the Boston market?—A. Well, this last year there was a large proportion.

Q. Since the law was changed in Boston reducing the limit to 9 inches in the United States, do you notice any difference here?—A. Oh, yes, the year before last it made no difference on account of the high price of canned lobsters, we got a good price and we could afford to buy and can all the 9-inch lobsters.

Q. That is from 9 to 10½ inches, I suppose?—A. Yes.

Q. What do you call them here, mediums?—A. Mediums, yes.

Q. What number of boats are engaged in supplying your factory?—A. It is pretty hard to estimate that, we have plenty of boats right in our own place, but we do not get all the lobsters there, we have to go to other places and we may collect from 25 boats.

Q. Are most of the lobsters smacked to you, or do the fishermen deliver them generally?—A. Last year we got nearly all of the lobsters delivered in our own place.

Q. Delivered by the fishermen at the cannery?—A. Delivered right at the wharf.

Q. How do you find the condition of the fishery now compared with what it was when you first operated?—A. Well, when we first started in the lobster fishery we used to get \$7, that was the highest price we got for lobsters when we shipped to the United States.

Q. That is \$7 per?—A. \$7 per crate, that is 140 pounds, and sometimes we got as low as \$2.50, and for the cannery lobsters, that is the 9-inch, we got 1½ and 2 cents, and now they are up to 4 and sometimes as high as 6 cents for the 9-inch lobsters. Of course, there were only three boats then when I first started, and now there are engaged in the lobster fishery in our place and thereabouts about 20; the first year we made a stock of about \$350, and now I think there are very few lobster fishermen but what stock that, and some of them go up to \$1,000.

Q. Do most of the fishermen ship lobsters on their own account?—A. Oh, yes, very nearly all, there are only a few who do not.

Q. You do some shipping too?—A. Only just a few.

Q. I suppose it depends on the state of the market?—A. Yes, we do not have any large lobsters, the fishermen ship all their own large lobsters.

Q. What percentage of the total catch of the fishermen will be market lobsters?—A. Well, I think this year it was over three-fourths.

Q. Three-fourths of the total catch would be fit for the market trade?—A. Yes, for the Boston market.

Q. Is that in weight or in number?—A. That would be in either number or weight.

Q. How do the lobsters run here generally, what will 100 lobsters weigh, or how many lobsters does it take to make 100 pounds?—A. That is according to the size, you take strictly the 9-inch and they are supposed to weigh about one pound each, then as you go up in size they increase in weight, and as you go down they diminish.

Q. How do they run in the cannery; how many lobsters do you consider it takes to fill a pound can here?—A. About 4.

Q. How have the regulations been observed here in the past as to the size limit?—A. Well, they have not been kept at all.

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Q. Do you can anything under 9 inches?—A. The regulations have not been kept at all.

Q. That is not the case here alone, that is universal?—A. I know we have been compelled to start in at it.

Q. Are there other canneries about here?—A. There is one here and another at Port Maitland.

Q. About what distance are they on either side of you?—A. Eight miles on one side and eight on the other.

Q. Do you control most of the fishing between those points?—A. They divide it.

Q. The smacks run in all directions?—A. The smacks are collecting in different directions.

Q. What has been the ordinary price paid this year and last year for canning lobsters?—A. Last year we paid 6 cents and this year there was quite a little difference in the price, $3\frac{1}{2}$ cents was the highest price we paid.

Q. Do you consider that it takes a larger number of traps now to keep up the average catch?—A. Yes.

Q. Could you do it with the same amount of gear that you used when you first commenced fishing?—A. It takes more gear now.

Q. Do the fishermen own their own boats and gear?—A. Yes.

Q. There is none of it supplied by the canner?—A. No, not here. In our district the fishermen own their own boats and control their own fish.

Q. What are the men who are engaged in the lobster fishery, are they men who go into the other branches of the fishery, or are they farmers?—A. They are fishermen, most of them.

Q. When the lobsters are over they go into the deep sea fishing?—A. Yes, they go to the deep sea fishery.

Q. To the halibut, cod and mackerel fishing?—A. Yes.

Q. Now as to the berried lobsters, what has been the practice with regard to them?—A. We put them over, the fishermen all understand that part of it, that is what the practice is with our fishermen.

Q. Was it ever the practice to brush the eggs off them?—A. Oh in the very first it was, we did not understand it at that time, but they always let them go now, they understand that is the salvation of the fishery, and always put them back in the water.

Q. What is the best time of the fishery, as a canner when do you find that you are running at your hardest?—A. In April and May, they are the best canning months we have.

Q. Are there many lobsters brought to can in December or February?—A. No, very few, we never pack them.

Q. Is there much fishing done in January and February?—A. In our place they are just starting in, they did a little last winter.

Q. Are most of those lobsters exported?—A. Very nearly or practically all.

Q. Is the cannery open then? You say you did not open?—A. No, we never can any then.

Q. What do they do with the small lobsters then, do they throw them back into the water?—A. Oh well, they only catch a few, they set 7 miles off in deep water in the winter and they only catch a few, nothing of any consequence.

Q. Not enough to keep you going?—A. Oh no.

Q. Is that the case with the canners generally here, are they not operating?—A. Not in Digby county but I think Mr. Comeau above here cans a few.

Q. What is your opinion with regard to licensing canneries, do you approve of the present policy of the Department in restricting the number of canning licenses, or do you think that any man who applies for a license to can should have one?—A. I would not like to give as many as all that.

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Q. Of course the policy of the Department has been to keep down the number of licenses?—A. I know that there are about all in the business that can make a success of it, if it is divided up any more some will have to go out of business.

Q. The business will be cut up so much?—A. Yes.

Q. The idea in restricting the number of licenses has been that by so doing the volume of the fishing would be kept down, do you think that has been the result of the restriction?—A. No, an increase in the number of canneries would not mean any more fishing at all.

Q. Do you think that practically everybody who can engage in the lobster fishing is engaged in it now?—A. Yes, everybody that can make a success of it is in the business now.

Q. Have the fishermen generally been satisfied as to the price they get; do you hear much grumbling as to the price they receive for canning lobsters, complaints have been made to the Department?—A. Oh, of course some people are never satisfied, and others again think they are getting all we can afford to pay them, and that is what we are doing.

Q. Do you think the large drop in price this year was entirely warranted by the drop in the prices abroad?—A. Yes, it was.

Q. You have been a fisherman, what do you think of the department establishing a standard trap? It has been noticed that there is a disposition generally, not only here but more particularly in the Gulf of St. Lawrence region to narrow down the space between the slats, of course that must be in order to get the small lobsters and to hold them once they get them?—A. Yes.

Q. Do you think by establishing a standard space between the slats it would be possible to allow the escape of the small lobsters?—A. Yes, I think it is. Of course the narrower you have the space between the slats the smaller lobsters you will hold; you will let out the very small lobsters if you have a little more space between the slats.

Q. The fact is that within my recollection the slats used to be placed 1½ inches apart, the width of the lath, and now we have them only half an inch, which can only be for the purpose of holding the small lobsters. What would you say would be a reasonable distance to insist upon, not perhaps for the traps already in existence, but say that from a certain date in the future all slats must be a certain distance apart.—A. I do not know, I think it would be well to establish a limit as to the size of the lobsters.

Q. Do you think that could be easily enforced?—A. I do not know, the law could be passed but whether it could be carried out is another question.

Q. We have the past experience to guide us in that, and the general opinion is that it is almost impossible to accomplish it that way?—A. Of course it would be a better way to have the slats a certain distance apart and to allow them to take everything that gets into the traps then.

Q. With regard to the size limit, what would you suggest?—A. Well, you would have to put it down pretty well in order to have the law kept at all; some people, of course, would allow the small ones to go, but they would be very small, 7 inches, or between 7 and 8 inches.

Q. In the United States the limit is 9 inches as it is with you, and you think it should be put down to 7 or 8 inches?—A. Yes.

Q. What about the fishing season, what would you do with that, would you shorten or lengthen it?—A. It is my opinion that the season is very well regulated now; it seems to me that the way it is now it protects the fishery. I have noticed that at the very last of the season, of course we have all large sized lobsters brought to us, I have noticed that the she lobsters showed no eggs outside, but when you cooked them and broke them open they always have eggs inside, that is at the very last of the season. It seems to me they are just forming their eggs then, and if they are protected during the next month or two it is going to help the fishery.

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Q. What time do you think is the spawning season?—A. I have no idea, I know that they catch them at all times with eggs on, during the winter months, and at other times during the year.

Q. Have you noticed much decrease in the average size of the lobsters within the last twenty years?—A. There has been quite a noticeable decrease in the size of the lobsters.

Q. When did the export trade in lobsters first begin here?—A. In the very first of my lobster fishing I commenced to ship my lobsters, and that is twenty years ago.

Q. And had there been any shipping before that?—A. Well, we started in at the commencement of the fishery, about the first.

Q. How do you ship your lobsters?—A. We ship them by Yarmouth.

Q. You send them by steamer to Yarmouth?—A. By steamer from Westport to Yarmouth.

Q. That is the only means of conveyance you have?—A. We have other means of taking them there, sometimes we take them by our gasoline boats, we are only 18 miles from Yarmouth.

Q. But there is only one regular steamer?—A. There is only one regular steamer that calls at Westport.

Q. Do you meet with much loss between here and Boston?—A. At some times during the year, we do not know really whether they die in course of transportation, or whether they are taken over there dead, sometimes they cull them very strictly over there.

Q. And you of course only get paid for those that are alive in the crates when they reach there?—A. In our experience in business we find that in that short time actually no lobsters can spoil when they are shipped fresh from our place.

Q. Could anything be done to prevent that loss, do you think; have you all the facilities required for the profitable exportation of lobsters alive?—A. Yes, I think we have from our place.

Q. Some people have suggested that if cold storage could be provided on board the boats from Yarmouth to Boston it would mean less loss?—A. Sometimes they would require to have the whole boat in cold storage because she is practically full.

Q. It would be difficult then to provide cold storage enough?—A. Yes.

Q. To what do you attribute the decrease in the size of the lobsters?—A. I think it is because the smaller ones have been caught up.

Q. That is to say over-fishing, and the destruction of the small lobsters?—A. Yes.

Q. And, I suppose, in the early days the destruction of the berried lobster, to some extent?—A. Yes, I have not noticed very much decrease in the catch in our place, but of course, they are discovering new grounds all the time; where they only used to fish a mile off shore they fish now seven miles, and they find new grounds every year.

Q. Every year they go farther out?—A. Yes, there is one new trouble coming up but I do not know whether I should mention it.

Q. That is the American smacks?—A. Yes, they are commencing to come over on our shores fishing outside the 3-mile limit.

Q. How is that going to affect the fishery here?—A. I think it is going to be bad for the fishery, that is if they run it to any extent.

Q. Have they found it profitable to follow it up?—A. Yes, there is no doubt about it.

Q. It is reported they have done fairly well with this smack this season?—A. Our best grounds now are outside the 3-mile limit.

Q. That is pretty generally the case all along the coast, it will affect the fishery seriously, you think?—A. Oh, it will affect it.

Q. Will we not have to alter our regulations in order to meet it?—A. I do not see how we can do it, but if they do make a business of it we will have to do something or we will have to go out of business altogether ourselves.

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Q. We cannot prevent them fishing outside the 3-mile limit though they propose fishing there all the year round, they are fishing there now when we are closed down, and that means they will catch off all the lobsters there?—A. And during the present month and next month there are always plenty of fish around on those grounds.

Q. What is your idea of the best way to meet that condition of affairs; have you any suggestion at all to offer on the matter?—A. I have not thought much of the matter yet, I have only heard of it lately.

Q. If we were allowed to fish all the year round on the same grounds do you think we are in a better position to compete with them than they are to compete with us, when they have to come so far?—A. Most assuredly, but it must deplete the fishery, if we do so, more rapidly than it has been depleted.

Q. There is only one way we can meet that, by raising our size limit. How would a strict enforcement of the nine inch limit affect the canners here?—A. I think it will close them up.

Q. It would put them out of business?—A. Yes.

Q. And how would it affect the fishermen?—A. The fishermen? Well, it would injure them I think a little at the commencement, but I think they would do about as well.

Q. In the future?—A. Yes, in the future.

Q. You think that a strict enforcement of that limit would after a few years build up the fishery so that it would ultimately pay them for the loss they might have for a year or two?—A. Yes, but of course I do not know much about that.

Q. Do you think it is right to destroy the immature fish; you very seldom see a breeding lobster under 9 inches, occasionally you will find one 8 or 7½ inches.—A. I have known of one of that size but we hardly ever see any under 9 inches here; in fact I do not know that I have ever seen any under 9 inches.

Q. Then it is reasonable to say that a lobster must have reached that size before it has reached the age of reproduction?—A. Yes.

Q. And it must be injurious to any fishery to destroy the immature fish?—A. I think of course that the season as it is regulated now does in our vicinity protect the fishery; I have not noticed any decrease in the actual catch for these last 7 or 8 years; it seems to me they catch just as many lobsters.

Q. You think that the decrease occurred before that?—A. Yes, we used to have until the first of August when I first started in.

Q. Originally they had no regulation at all?—A. There was no regulation, I know.

Q. Then for a while we had only the month of August shut off, and then afterwards it came down to take up to the first of August?—A. I think our fishermen do as well now as they ever did; well, I know they do better than we did at first.

Q. They are getting more for their lobsters?—A. They are getting more for their lobsters, but I think, of course, if there is an increase we have it brought right home to us that the more there is shipped to the United States the lower the drop in price; they drop right down when there is an extra shipment sent in there.

Q. Is it the case that the canners are compelled to accept undersized lobsters from the fishermen?—A. If they want to can they have to.

Q. Some canners say they objected, but they were forced to do so because the fishermen would take them to somebody else if they could not take the small lobsters?—A. That is the case, I do not like to break the law, but I have to if I want to keep going.

Q. It has been suggested by some people that the lobster fishermen should be required to register and to take out a license, signing an agreement in which the regulations are recited, that they would stand by them; and if a fisherman were found violating the regulations he would not be allowed to have a license the next year, and consequently would not be allowed to fish lobsters. What do you think of that pro-

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position as a remedy, how would it work?—A. I do not think anything like that ought to pass.

Q. Some people have suggested it as a way out of the difficulty, they think that if the fishermen were bound in that way they would be more likely to live up to the regulations and would inform on others who did not.—A. I do not think that ought to pass, that is too strict.

Q. Are the existing penalties sufficient, do you think, if they were strictly enforced, would they cover the matter?—A. Yes, I think so.

Q. Have you any experience in the matter of hatcheries or pounds?—A. No.

Q. Do you think that it would be wise to have something of the kind established in this neighbourhood; would the canners get a sufficient number of berried lobsters here for the purpose, it would have to be pretty well towards the close of the season, in April or May at all events?—A. You could get a lot of them, we have a place 7 miles off the Trinity where they get lots of them, it seems to be a place where they gather, I do not know whether it is for spawning or not, but they get large numbers of them in from 3 to 20 or 30 fathoms of water.

Q. Do they get a larger proportion of berried lobsters in that particular spot?—A. Yes, I think so.

Q. Is it a hard rocky bottom with plenty of kelp on it?—A. Yes, it is a hard rocky bottom. This season there seem to have been more berried lobsters than usual, some years there are more than others.

Q. How is the bottom in the bay, generally?—A. I have not much experience here.

Q. It seems to me there must be a great deal of muddy bottom in here?—A. They say there is quite a lot of rocky bottom.

Q. Do you think it would be wise to insist on any inspection of the canneries, in order to see that they are kept clean and that every provision for the proper putting up of the meat is made?—A. Well, that would be a good rule.

Q. There are a great many canneries that are not by any means fitted up as they should be, but at present there are no means of shutting down on them?—A. I think that would be all right.

Q. Do you think the product of the canneries, that is the canned article, should be subject to an official inspection, the same as flour and other kinds of food?—A. That is already inspected by the experts when it is sold, the buyers will not accept anything without testing it, they always test before buying.

Q. It has been proposed by some that there should be an official inspection of the canned lobster the same as we have for pork, flour, cheese and other articles. Do you think that the fishermen would be better off if allowed to can on their own account?—A. I do not hardly see how they could can if they are going to run their fishing business; that takes up all their time, but of course I suppose they could hire help.

Q. Of course that is what they would have to do. A great many fishermen have the idea that they are not getting a fair return for their fish, and they have applied for permission to can; lately the department have granted what they call co-operative licenses, where a number of fishermen, not less than 15, have combined together and said they were not satisfied with the price they were getting and wanted to can on their own account. Those are the only new licenses that have been issued for some years back.—A. I should be in a position to know something about it, I have fished and canned both, and I have found that when I was fishing I did just as well as I have since I have been canning; there is only one thing, the work is made a little lighter for me.

Q. And there is less anxiety?—A. Well, there is just as much anxiety in canning lobsters as there is in fishing, you know just what you are doing when you are fishing, but in the canning business you do not know what moment the lobsters are going to drop.

Q. Which branch of the lobster industry do you think is the most remunerative to the fisherman, and the least calculated to deplete the fishery, canning or the live

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lobster trade?—A. Well, the export trade, I think, is the more benefit to the fishermen.

Q. Is it to your knowledge that there is much fishing done out of season, before or after?—A. There is none either before or after in our district.

Q. Nor any illegal canning?—A. No, the law is strictly observed.

Q. Do the fishermen fish right up to the close of the season?—A. In our district they fish right up to the close of the season, and they do not attempt anything else until the season is over.

Q. What are the average prices paid in the cannery to the superior hands, do you keep a foreman?—A. No, we do not have any foreman.

Q. What are the sealers paid in this district?—A. We usually pay \$40 per month.

Q. And do you board them?—A. Yes, we board them.

Q. And the other hands, what do they receive?—A. To our girls we pay \$3 a week, and to our men, we have other help, we pay \$30.

Q. In your case, do the girls live in the cook room or at their own homes?—A. They live at their own homes, they live right handy to the cannery.

Q. Is there anything else you would like to say now, I do not think I have anything else to ask you?—A. No, I think we have covered the ground pretty well. I have been thinking over the question of this American vessel, and if we had to have a season the year around we could have it possibly arranged in the size limit so as to give the factories a chance to can for the same season as they do now, and then increase the size limit, that would protect the fishery.

By the Commissioner:

Q. Would you say close up the factories?—A. Well, give them the season they have now, they only can for a couple of months, allow them to can for that period, and then of course they would have to close up, and increase the size limit for the rest of the season, that will protect the fishery and give the fishermen a chance to meet the Americans on their own ground. Then, with regard to this berried lobster question, we could supply a hatchery all right with the spawn from the lobsters; I am sure of that, we could commence to hatch them right off as soon as the season opened.

Q. If that were done what months would you say to give the canners? Our canners in the Gulf say: 'Give us two months good canning and that is all we will ask.'—A. That is all we can get here along the shores of Digby county.

Q. The canners generally say: 'If we cannot exist with two months we will go out of business?—A. Give them March April and May.

Q. That is three months?—A. That is about the time I would give them, and I think it would be a good plan to take these seed lobsters, if we were to start a hatchery, and put them in a pound. It seems to me there would be a greater percentage of them stay around and hatch out there than if we were leaving them out to get in the traps all the time, and there would be no fish there to destroy the spawn.

Witness discharged.

ARTHUR DOUCETT, fisherman, Mavillette P.O., Cape St. Mary, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in fishing lobsters?—A. I have been engaged in it five years.

Q. Did you ever fish anywhere else than in this neighbourhood?—A. No.

Q. Were you connected with the lobster industry in any way at all before you commenced fishing?—A. I was living among the fishermen, and I have seen the lobster fishing right along since they started fishing.

Q. You do not know very much about the condition of the fishery 30 or 40 years ago?—A. At that time there was no lobster fishing carried on here at all.

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Q. It has not been prosecuted here as long as that?—A. Not 40 years ago.

Q. It really began about that time along this coast, did it not?—A. That was long before I was born, and I remember when it was started here.

Q. Do you notice any decrease in the last five years?—A. There is a little decrease.

Q. What number of traps do you fish?—A. 125.

Q. That is from a boat manned by two men?—A. Yes.

Q. In what depth of water do you fish?—A. I fish from 7 fathoms to 33.

Q. You fish of course all single lines, no trawls?—A. All single lines.

Q. As a rule you look for a rocky bottom?—A. Always.

Q. It is no use fishing on a muddy bottom?—A. Not around here.

Q. Is there any station of the Fishermen's Union in your locality?—A. No.

Q. What would you say is the number of boats engaged in your locality in lobster fishing?—A. I should say there are 20 odd boats, two men to a boat.

Q. And do they all fish about the same number of traps?—A. Yes, on the average, I should say 100, these gasoline boats fish 125 traps, and the dory will fish about 100.

Q. When do you begin your fishing?—A. We began it this last winter in January.

Q. On the 6th of January?—A. We set off our traps before that, and they have complained and fined us; we started when they fished in Yarmouth county and put the traps out 7 miles off shore and complaint was made, and the second time we went out they caught us. We set the traps outside the 3 mile limit on the 15th of December, the same time as they commenced in Yarmouth county.

Q. How did you find the fishing when you did begin?—A. We caught a few.

Q. Were the lobsters coming in from the outside or were they on the ground?—A. The lobsters I think in the winter drop into the deep water, we were fishing in 33 fathoms.

Q. How are they in that depth of water, do they trap well and are they lively?—A. They are pretty numb, but I think it is only when they come to the surface of the water, when the cold climate hits them it kind of paralyzes them.

Q. How long did you fish on the winter side?—A. All the winter to the 15th of June, and we hauled up on the 20th.

Q. When do you find the fishery at its best?—A. April and May are the two best months for catching lobsters.

Q. Do you expect to get more large lobsters at one period of the season than at another?—A. Well, you will get more, compared with the quantity you catch, more big ones in winter when fishing in deep water.

Q. And as to the berried lobster, the lobster with the eggs on it, where will you find them?—A. You will find them everywhere.

Q. Will they be more abundant at any one time than another?—A. Towards the last of the season there are more, but the reason you get more then is I think that you fish the same lobster three or four times over.

Q. How often do you go out and fish your traps in the winter?—A. Not more than once a week, as a rule, sometimes once a fortnight.

Q. What is the season of the roughest weather?—A. February and March, I do not know but that March is about as rough as any.

Q. March is a very stormy month, you say?—A. Yes, I think so.

Q. And you say you go out less frequently in February and March than in January?—A. Yes, I think March is about the roughest month.

Q. What proportion of your total catch do you ship alive to the market and what proportion do you sell to the canner?—A. About three-fourths of the catch is shipped across.

Q. That is all over 9 inches?—A. Yes.

Q. And you sell to the canner the small lobsters?—A. From 9 inches down.

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Q. I suppose there are none of your large lobsters sold to the canner?—A. None at all.

Q. Only those that are mutilated?—A. Oh well, if you find one that has been bitten by another one, and it is pretty nearly dead, you give him to the canner, but that does not amount to more than one in a fortnight.

Q. You ship your export lobsters on your own account?—A. Yes.

Q. What do you put in the crate?—A. Do you mean the count?

Q. Yes?—A. Well, of course we put from 65 to 103 according to the size.

Q. The weight of the crate was originally supposed to be 140 pounds?—A. Yes, but when a crate is well filled it weighs more, I have had one that turned out 203 pounds.

Q. Do you put much ice on them?—A. We do not put ice on them at all.

Q. Not in the summer time?—A. We used to put ice on them when we started, but it isn't any good, it does more harm than good, because when it melts it pours fresh water on them and kills them.

Q. What percentage of loss do you count on?—A. It is pretty hard to count on the loss, of course we lose quite a lot of what we ship in the latter part of the season when it is warm weather. In this last season, at the latter part of it, we had crates that should have brought us about \$22, and all we got in return was \$3.45 on account of the others being dead.

Q. Is there anyone in Boston who looks after the interests of the fishermen here?—A. The commission man, that is all.

Q. You have to trust him?—A. Yes, we have to trust the commission merchant, and some of them we ship to are actually boilers.

Q. How long does it take to get a return?—A. We ship on Wednesday and we get a return on Saturday, that is as a general rule.

Q. They are paid for promptly?—A. Yes, as a general rule, but sometimes we lose one boat.

Q. By what route do you export?—A. All the lobsters go to Yarmouth and are exported from there.

Q. As to the matter of the trap, you build your own traps?—A. Yes.

Q. What space do you allow between the slats?—A. I allow the head of the hammer, according to the width of the head.

Q. If it is an old hammer it will be wide, and if it is a new one it will be narrow?—A. Yes.

Q. There is no doubt a tendency in building traps to put the slats closer together, especially in places where there is no live export trade and it is all canning. Do you think the capture of small lobsters can be regulated by fixing the space between the slats?—A. If the space were made bigger the smaller ones would escape, but the big ones would put their claw through between the slats, and if they cannot get out again they will let that claw go, and that fish loses value because it is the claw that weighs. I think it should be done by some other regulation, otherwise it will cause a loss to the fishermen.

Q. How would you deal with that if you were making the laws, what would you say?—A. Put on a size limit.

Q. What would you put the size limit at?—A. About 8 inches.

Q. Do you think the size limit could be strictly enforced? Who would you punish?—A. I would punish both the canner and the fisherman.

Q. During the time you have been fishing what is the average price you have received for your canning lobsters?—A. For the factory lobster, as we call it, we have received from 3½ to 6 cents.

Q. That is by weight or by count?—A. By weight and by count, at first we were selling by count, we calculated the 9-inch lobster as a pound, it weighs about that, and now lately we sell them by the pound, by weight.

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Q. Was it ever the practice here to take two small ones for one?—A. Yes, when they were buying by count we used to put in two small ones for one.

Q. As to the matter of the berried lobsters, in your time they have been put back in the water?—A. Always.

Q. Do you think the fishermen understand the necessity for saving and protecting those lobsters?—A. It is no benefit for the fishermen to keep the seed lobster and strip her of the spawn, because in 24 hours she will be dead.

Q. Is it the case that the berried lobsters will not stand transportation as well as the others?—A. If the seed is on them they will, but if you wash them off they will die.

Q. Is it the case that if a lobster is injured, if it has a crack in its shell or anything like that it will die quickly?—A. He will die, especially if it is on the back, he will soon die.

Q. Do the berried lobsters generally run of good size, what is the smallest one with seed you have ever seen?—A. There was one landed this spring under 9 inches, that is the smallest one I have heard of.

Q. As a rule there are not many as small as that with eggs on?—A. Not many.

Q. What do they run at, as a rule?—A. As a rule they will run from 10 inches up, probably there are a few under that.

Q. Have you heard of this American smack fishing outside the 3-mile limit?—A. Yes.

Q. What do you think of that; if it becomes a general practice how will it affect our fishery?—A. It will harm our ground here, or else we will have to do the same as they do.

Q. That is fish all the year round?—A. Yes, fish all the year round.

Q. Do you think we could fish all the year round without damaging our fishery?—A. No, I do not believe we could.

Q. Supposing we fix a high size limit for the fish, have it the same as the State of Maine, there they fish all the year round and have a 10½-inch limit.—A. They have a 9-inch limit now.

Q. Then it must have been changed lately?—A. They changed it last year, they fish now down to 9 inches.

Q. That is since they changed in Boston?—A. Yes.

Q. I did not know about that.—A. Maine and Massachusetts have 9-inch laws in force, I am pretty certain that it is a 9-inch limit in Maine now.

Q. Do the canners make any bones about receiving small lobsters?—A. Well, it is no use for them to kick.

Q. How would a limit of 9 inches, and enforcing it strictly, affect the fishermen?—A. I do not believe it would affect the fishermen much; it would the first year, and they would probably feel it the second year a little, but after that I think they would do just as well.

Q. How about the canner?—A. Of course it would affect the canning particularly.

Q. Do you know anything about hatcheries and pounds?—A. I have had no experience in them, but I think it would be all right to have a hatchery, for the reason that it would help the fisherman, he would get a little for his seed lobsters, he would get a little more for them than he would for those he ships away: it would be a benefit to him in that respect, and I think it would increase the fish on our ground after a year or two.

Q. Now, as to the pound? In the state of Maine, for instance, they hold their lobsters in the pound, they keep them there and they only send them to the market when the price is up. What would you think of permitting that system here; how would it affect you, could you establish pounds here?—A. At home it would not be very difficult to have a pound, and probably there are several places in the county, but I do not believe it would do as a rule.

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Q. Is there much fishing done out of season?—A. No, none to speak of, that law is pretty well observed.

Q. What is your opinion about this matter of licensing canneries; the policy of the department has been to keep down the number of canneries with the idea that by so doing they were restricting the fishery?—A. No, I do not believe it has had that effect, I think that if there were three or four canneries they would have their smacks to gather their lobsters all along the coast just the same.

Q. What do you think of the proposition to have the lobster fishermen register?—A. I do not think it would be kept up at all; for one thing, suppose I am going to sign the license this year, and they catch me violating the law and cancel my license the next year, I will hire a man and have the license made out in the name of the hired man, and if they cancel his license I will hire another man in the following year.

Q. What is your idea with regard to the fishermen doing their own canning?—A. Of course as long as we have a market like we have now for the lobster from 9 inches up I do not care about the canning.

Q. You think the fishermen had best stick to fishing?—A. As long as we have a good market for fresh lobsters it is far ahead of the canning for us.

Q. In framing the regulations which branch of the industry would you favour, the fresh market export or the canning?—A. The fresh market is far ahead, we get three times the price for the markets that we get for the canning.

Q. Three-fourths of your revenue is derived from the fresh market fishery?—A. Yes.

Q. I do not know that there is much more I desire to ask you, is there anything you think of yourself you would like to say, that I have not covered?—A. Is this going to be a general law?

Q. All this evidence will go before a committee of Parliament and they will decide.—A. I think Digby county should have the same season as Halifax, at present it is not exactly the same; they are supposed to stop but they do not, they just come here and ship their crates from Digby county into Yarmouth county just the same so that they are fishing 21 days more than we are. We fish right up to our line. We cannot ship our lobsters to Yarmouth county, and if we do set traps on the 15th of December there will be somebody put the law on our backs; it should be the same regulation all through.

Q. It is your opinion, is it, that as far as possible the regulations should be uniform?—A. They should be uniform, that is to say that from Halifax to Digby county it is the same regulation now, and Digby county should be included in that regulation.

Q. You think it is a mistake to have different regulations?—A. It is a mistake to have a different regulation between Yarmouth and Digby counties, they have an advantage of 21 days.

Q. Would it be better to cut them down to your line?—A. It would not make any difference for my part, I would not complain if they made Digby county like Yarmouth county, or cut them off as we are here, it would not make any difference at all which way it was done.

Q. I think, as far as possible the new regulations will be based, of course I cannot speak positively, I am only one and I will not have much to say in the matter, but the desire of the department is to make the regulations uniform from Halifax, that has been suggested.—A. You cannot have the same regulation here as you have north of Canso, but on the line of Digby and Annapolis there are only a few fishermen there, but between Yarmouth and Digby counties there are the largest number of fishermen.

By Mr. Jameson, M.P.:

Q. When you speak of having the same regulations to the west of Halifax and the same regulations in Yarmouth and Digby counties, did you refer also to the size

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limit?—A. The size limit should be the same; you do not mean that it would be right for them to catch 8-inch lobsters and us, a quarter of a mile from them, have a larger size limit. The size limit should be the same and the season should be the same.

Q. Do you fish in St. Mary's bay or the Bay of Fundy?—A. Well, we fish off Cape St. Mary.

Q. Are you familiar with the fishing in the Bay of Fundy?—A. No.

Q. Do you know the difference between the fish taken in St. Mary's Bay and those taken in the Bay of Fundy?—A. I have no experience in this place.

Q. You speak of losing lobsters in your shipments to Boston, in what months do you principally lose them?—A. We lose more in the latter part of the season.

Q. Is that owing to the lack of refrigeration or cold storage, on the boats?—A. Of course there are some lobsters that are cooked on board the boat, you can see the scar right across the crate sometimes where it has been laid against the steam pipe, it is burnt into the wood.

By the Commissioner:

Q. I suppose the lobsters comprise the principal part of their freight?—A. Yes, sometimes there are 1,500 crates and they stow them away to the best advantage, they do not look to see if there is a steam pipe or anything of that kind to hurt the lobsters.

Q. It is only the lack of proper facilities to handle them on the boat?—A. That is all.

Witness discharged.

FRANK J. DEVEAU, fisherman, Saulnierville, called and sworn:—

By the Commissioner:

Q. How long have you been fishing?—A. I have been 30 years at all kinds of fishing.

Q. Were there any fishermen before you?—A. I guess there were a few.

Q. Do you fish in the bay?—A. I have been lobster fishing here 11 years.

Q. Do you fish in the bay?—A. In the bay, at Saulnierville.

Q. What is the condition of the fishery here to-day compared with what it was when you began?—A. I do not see much decrease in the fishery, all I see is more men fishing and more traps, but I am catching about as many lobsters as when I began.

Q. Are the lobsters as good on the average as they were when you began?—A. I cannot say anything about the canners' report, but my report is that last season I caught as many lobsters as ever I did.

Q. The same in number?—A. And my neighbours here who represent Saulnierville can say the same, that is in number.

Q. How were they as to size?—A. About the big ones we do not get a great many up there, but I think we caught as many or more last winter then we ever did.

Q. What proportion of the lobsters you catch will be over the 9 inch limit, and what proportion will be under?—A. In the average do you mean?

Q. Yes, out of every hundred lobsters how many will be over and how many under 9 inches?—A. I have made catches there, now I will give you one that I remember, I got 800 lobsters in one haul, and I have had 200 large ones over 10½ inches for Boston.

Q. And between the 9 and 10½ inch how many did you have?—A. Probably between 200 and 300 over 9 inches.

Q. And you had 600 below 9 inches?—A. 600 below 9.

Q. When do you begin fishing?—A. We begin on the 6th of January.

Q. Do you always start out at the opening of the season?—A. We generally start out on the 5th, a day ahead of the season.

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Q. You put out your gear then, what number of traps does a man fish generally?—A. About 150 at our place.

Q. That is with two men in a boat?—A. Two men in a boat.

Q. Are you using gasoline boats?—A. We do mostly.

Q. You can get backwards and forwards and do more fishing with them than other ways?—A. Yes, we can move very much more quickly.

Q. In what depth of water do you go when you first put out your gear?—A. We put it out in from 7 to 18 fathoms.

Q. What is the average depth of water in the bay?—A. About 12 fathoms I should think, shoal water a great deal.

Q. What is the nature of the bottom on the greater part of the bay?—A. Well, it is rocky bottom and kelp, there is sand in some places.

Q. Beginning on the 6th of January, how do you find the fishing for lobsters there?—A. There are not a great many close inshore.

Q. Do you think they winter in this bay or do they go out of it?—A. I think they go out into deep water.

Q. Do you think they back down to the mouth of the bay at all?—A. I could not say about that, our bay is narrow and the fishermen do not go far offshore, we fish trawls and hang in pretty close.

Q. Do you mean to say that you fish your lobster traps on trawls and not single lines?—A. They are all trawls, not trap pots.

Q. How do you find fishing in general, what are your best months?—A. March, April and May.

Q. I suppose March here is the spring month, the spring is coming with you then?—A. Yes, they generally strike in about the 10th or the 15th.

Q. Is there much ice in the bay?—A. Quite a lot.

Q. It forms on the bay, but it does not interfere with your gear.—A. It does not interfere with the gear.

Q. Is the percentage of loss on the bay large?—A. There is more or less with the larger pots, that is the reason why we set trawls so as not to lose our pots.

Q. What do you consider the life of a trap, how long does it last you?—A. Four or five years.

Q. What do you consider the value of a trap with its line?—A. I never figured it up, but when it is ready for the sea I should say it was worth a dollar.

Q. How is it about the space between the slats in your traps? Is it large or small?—A. We use the head of the hammer, and we do not take a stone hammer either.

Q. Do you make it narrower now than you used to?—A. Yes.

Q. Why is that done?—A. We make it narrow to catch the small lobsters and to prevent injury to the big ones who slip their claws into a big space and lose them.

Q. Is it a different run of lobsters in here from those you get on the Atlantic coast or in the Bay of Fundy?—A. I think our lobsters here do run smaller than they do down below in the deep water.

Q. Is there any other difference?—A. I do not see any, some say they are lighter when they are caught in shoal water than they are when caught out in the deep water.

Q. We have heard that they are shorter in the nose, and not as long, and that they are thicker?—A. I think that on the average crate that we ship to the States we get about the same price as they do down below.

Q. Once you put your traps out do you stay on the same ground all the season?—A. We shift, when there are no fish there we shift.

Q. Late in the season do you put them in shoal water?—A. We do.

Q. Do you find that later in the season and in shoal water you get a larger percentage of small fish?—A. Yes, they strike in the first of March, and often along towards the last of the season we shift in again.

Q. As to the female lobsters with eggs, when do you see the most of them?—A. From March out.

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Q. Do you see a larger proportion at one time than you do at another?—A. There is not a great deal of difference from March out, because we keep throwing them overboard and catching them again once in a while.

Q. Out of every hundred lobsters how many will bear berries?—A. I could not say exactly about that, some weeks we get one dozen to a boat on the average and sometimes we get more.

Q. The percentage is not very great?—A. Well, take all the boats, where we catch them very far off we catch a dozen a week to a boat.

Q. We generally suppose that the limit is about 5 per cent; that 5 out of every hundred lobsters caught bear eggs?—A. In the spring, yes I should think so.

Q. That is the average all the year round, some seasons there are more than others, you do see more later in the season than you do earlier?—A. Yes.

Q. Do you think we could provide for the escape of the immature lobsters by insisting on a space of 1 or 1½ inches between the slats?—A. I do not think it would be any good, I do not believe such a law could be enforced.

Q. The 9-inch limit has not been enforced, has it?—A. I think it would be a good deal easier to stop men catching the small lobsters by putting a limit on them.

Q. What is your objection to building a trap of a standard size?—A. I do not think it could be done, that is all I know about it, but I do not think it could be done; some would think they were making it big and at the same time they would be making it small.

Q. Supposing that we insisted on 1½-inch space between the slats, could not that be enforced?—A. 1½-inch?

Q. That is to say if that would be the right space?—A. I think there would be quite a lot of trouble about that, we would have a lot of overhauling to do.

Q. The traps would all have to be overhauled before they went into the water?—A. They would be fixed after they got them out.

Q. It is a question if any law cannot be enforced, if the department is in earnest about protecting the lobsters it will have to be enforced?—A. I do not see why the small lobster cannot be protected under the size limit the same as the lobsters that are shipped to Boston. When I am shipping to Boston I am positive that I am not putting any under 9 inches in the barrel, because I know if I put one in I am going to be at the loss of the barrel, and I do not see why I could not do the same thing with respect to the lobsters going to the factory.

Q. Well, it has not been done?—A. I know it has not been done.

Q. Then whose fault is it that it has not been done?—A. Nobody's.

Q. What do you think about the size limit?—A. I think 8 inches is about right.

Q. You think it will be easier to enforce an 8-inch limit than it is the 9-inch?—A. I think an 8-inch limit will be all right.

Q. Do the fishermen own their own boats and gear outright?—A. I guess they do, yes.

Q. Do you expect the canner to take all the lobsters you take to him irrespective of size?—A. I have.

Q. Do you deliver the lobsters to the canneries or do they collect them by smacks?—A. No, they collect them by teams.

Q. What do you think of the proposition to expect the fishermen to register and take out a license before they can fish lobsters?—A. I do not think anything about it, I do not believe it is right for a man to bind himself.

Q. You think it is not right for a man to bind himself to obey the law?—A. Not for a thing like that, not in fishing anyhow, it is too hard a life for a man to confine himself to that.

Q. I should not think fishing in the bay here is a very, very hard life?—A. Oh, I guess it is not.

Q. Not as compared with fishing on the Atlantic?—A. I have been at it 11 years myself and I am pretty well used up.

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Q. Where the fishermen fish 40 miles off shore in open boats, that is a pretty hard life. Do you accept the price paid by the canners?—A. We accept the price, sometimes in the spring a man says he will pay us a certain price if it does not get higher or lower, and we agree to that.

Q. And if you do not agree as to the price?—A. We take what is coming.

Q. What price have you received this last year?—A. I think four cents.

Q. And what was it the year before?—A. Then we got six.

Q. What are the average earnings of a lobster fisherman, a good active fisherman?—A. Well, in my locality it is from \$800 to \$1,000. I know boats that have made from \$800 to \$1,000 in five and a half months.

Q. From which branch of the fishery does he get his largest revenue, from the export trade or from the sale to the canner?—A. From the export trade.

Q. Then which branch of the fishery should be protected in framing the regulations for governing the lobster fishery, which branch is of the most consequence to the fisherman?—A. You mean in money?

Q. Yes?—A. Well, I think the United States market trade should be protected, that is for our business.

Q. Is that a trade that is increasing?—A. Well, I do not see that it is decreasing any.

Q. Well, are the people looking after that market more, are they devoting more attention to it than they used to, or did they always ship, within your recollection, the large lobster?—A. They always shipped.

Q. How are the facilities for shipping lobsters alive to the market?—A. They are very good with us, we ship from our station on the Dominion Atlantic Railway, which is only three miles from shore, to Yarmouth, and from there by steamer.

Q. How often do you ship by steamer?—A. Wednesdays and Saturdays.

Q. Have you met with much loss of lobsters in transit?—A. Not a great deal, and the reason is that when they commence to cut down in price in the spring we sell to the factories, that is when they will bring five cents in Boston, and we can get four cents here, we sell them at four cents, large and small.

By Mr. Jameson, M.P.:

Q. You have not lost many on the boat through the heat?—A. Not a great many.

By the Commissioner:

Q. West of here some people have complained that they have met with a great deal of loss, do you think it is from careless packing?—A. I think it is with some, and I daresay if they happen to get their lobsters put near the pipes they lose them, but the way our lobsters get down there in good condition is that they probably get put somewhere where it is cool.

Q. What percentage of female lobsters do you think get in your traps here?—A. I could not say, of course some weeks we get a dozen or more during the week.

Q. Do you know anything about hatcheries and pounds?—A. No, I am not acquainted with them at all.

Q. Have you ever thought over it, do you think it would be advisable to establish more hatcheries?—A. I think it would, I think it would be of benefit to us.

Q. Of course you require a number of canneries or places where the female lobsters can be collected near a hatchery because you cannot go too far to get your eggs.—A. I think they can be kept quite a while if they are looked after carefully.

Q. What number of fishermen are fishing lobsters from your locality?—A. There are four right where I am fishing, but take from my place in the Bay there are probably 100 boats.

Q. That is up to the head of the Bay?—A. To the head of the Bay, I could not say exactly the number, but there are quite a number of them.

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Q. I suppose that practically everybody that can go into the lobster fishing is at it?—A. I guess so, yes.

Q. Have the regulations for the protection of the berried lobster been well observed?—A. Well, I do not know of anybody who has taken any at all.

Q. Is there any washing done at all?—A. No, I do not see what benefit it would be to anybody; I know one man that carried one ashore once and washed it, but that man is out of business now.

Q. Has the practice of stripping ever been followed by the fishermen here?—A. I have never known anyone to do it.

Q. Not even in the beginning?—A. No.

Q. Do the canners object to take berried lobsters or not?—A. I do not know whether they have or not, because I do not know of anybody that has brought them in.

Q. What number of canneries are there in your neighbourhood?—A. Well, there are two, one at Meteghan River here and one at Comeauville, which is right handy.

Q. What others are there above that?—A. There are none up above.

Q. Are you aware of any fisherman having lost his catch of lobsters by reason of the canner having refused to accept them?—A. No.

Q. Do you think that an increase in the number of canneries would mean an increase in the amount of fishing?—A. I do not see why it should.

Q. Do you think that the fishermen generally would make more money if they were allowed to can?—A. I cannot answer that question, I know I would not have time to do it myself.

Q. Is there any fishing done in the bay before the opening or after the close of the season?—A. I do not think there is.

Q. Have you ever known any canning to be done after the close of the season?—A. Oh, no.

Q. What do you think about the season?—A. I think we ought to have the same as it is in Yarmouth county.

Q. That is the same season?—A. Yes.

Q. How was it that the season here is different, do you know how that came about?—A. No, I do not.

Q. What do you think about this fishing by the American smacks offshore here, is it going to affect your fishing seriously?—A. I should think it would.

Q. Have you any idea how we can best meet it; we cannot prevent them fishing outside the 3 mile limit, can we?—A. I do not see how it could be prevented if they are outside the 3 mile limit.

Q. The season in Yarmouth county is from the 15th of December to the end of May, is it?—A. Yes, they have a longer time than we have, and after the season closes they jump into Digby County and fish there, and it injures us of course.

Q. So you favour as far as possible having a uniform season, that is where it can be done, not to have different size limits and different seasons in adjoining sections?—A. Well, according to the size limit, I guess if I knew what the other counties have proposed I could talk on that.

Q. Well, we know what the other counties think?—A. Our proposition here is for an 8 inch limit, and if you were to compare our time limit with the time limit of the other counties of course probably it would be all right. There may be counties that do not want anything under the 9 inch limit.

Q. Some say they want a 10½ inch limit?—A. Well, of course we would not want that, we would have to take to the woods if we had to come down to that, that is where we fish here in the Bay.

Q. I think you told me that a large proportion of your catch went to Boston?—A. I will say that two-thirds or more of my catch go to Boston.

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Q. Then why would you have to take to the woods?—A. If we could not catch anything under 10½ inches we could not catch enough of that size where we are up in the bay to make a living.

Q. What is the best period of your fishing, when is your fishing at its height?—A. March, April and May.

Q. Do you fish right up to the close of the season generally?—A. Yes.

Q. You do not go into other kinds of fishing?—A. Oh, no.

Q. What other fishing is done here generally?—A. Cod fishing, and we cannot handle the cod fishing, we haven't time to do so with the lobster fishing, but in the fall we generally get cod fishing.

Q. Before the advent of the lobster fishing did they use to carry on the cod fishing?—A. I guess they did, I was not here.

Q. Would you like to have your season cut short 15 days in June?—A. I would not mind having it cut off then if I could get the 15 days earlier. I would like to get it as it is in Yarmouth County.

Q. You think it would suit the majority of the fishermen in St. Mary's Bay?—A. I do not know anything about that, there are lots in St. Mary's Bay differently situated to what I am, I do not see anything to catch in June myself, all we are getting is the small lobsters then.

Q. Are there any more berried lobsters in June than at any other period of the season?—A. Oh yes, there are berried lobsters in June.

Witness discharged.

DOCITTE DESAULNIER, fisherman, Meteghan, called and sworn:—

By the Commissioner:

Q. Are you engaged in canning or fishing?—A. Fishing.

Q. How long have you been engaged in fishing?—A. 12 years.

Q. Have you ever fished lobsters in any other ground than here?—A. No.

Q. What is the condition of the fishery to-day compared with what it was when you began?—A. I believe it is decreasing.

Q. To what extent would you say it has decreased?—A. It is getting smaller.

Q. How much has it decreased?—A. Quite a lot, I think.

Q. Has that decrease been going on all the time you have been fishing, or has it become worse lately?—A. It is worse lately.

Q. How do you notice it most, are you catching fewer big lobsters and more small ones?—A. Well, yes.

Q. I would rather you tell us in your own words if possible, you think the proportion of small lobsters is greater?—A. Well, no, I do not.

Q. What do you think then?—A. I think we catch less of all kinds.

Q. When do you begin fishing?—A. On the 6th of January.

Q. Do you export your big lobsters when you first begin fishing?—A. Yes.

Q. So that you have fallen off in that respect?—A. Yes.

Q. How were the prices you got for the markets this year compared with what you got then?—A. We used to get \$5 a crate and we get from \$40 odd now.

Q. The price has risen then?—A. Yes.

Q. And as to the canning lobsters, how does that price compare?—A. That has gone up too.

Q. What did you get for the canning lobsters in the beginning?—A. Two cents.

Q. That was at the beginning?—A. Yes.

Q. Are you still selling by count or by weight?—A. No, by weight.

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Q. For your catch of lobsters, from which branch of the fishery do you get the most returns?—A. From the canning.

Q. That is from the 9 inches down?—A. Yes.

Q. What proportion of your total revenue is derived from the sale of lobsters for the market, the export trade, and what proportion from the canning?—A. Well, I do not know about that.

Q. What is your fishery worth to you, I do not want anything definitely, but one year with the other what does the lobster fishery amount to with you?—A. \$500 a year.

Q. Of that \$500 how much do you get from the canner and how much from the export trade?—A. I get three-fourths of it from the canner, that is from the 9-inch lobsters that I ship.

Q. Do you ship everything over 9 inches?—A. I did last year.

Q. Before that you used only to ship the 10½?—A. Yes.

Q. And you used to sell all under 10½?—A. Yes.

Q. And that was when you had your largest revenue from the canner?—A. Yes.

Q. Of the two branches of the trade which one should be encouraged the most?—A. The cannery I think.

Q. You think the cannery should be encouraged?—A. Yes.

Q. What has been your practice; to take to the canner everything you catch?—A. Yes.

Q. And the regulation has never been enforced; was it never enforced at any time?—A. Oh yes, it was.

Q. When?—A. Well, we only took them about 6 years ago.

Q. Before that you used to take only the 9 inch lobsters?—A. Yes.

Q. And you put the small ones back?—A. Yes.

Q. How was it that that regulation was done away with?—A. They did it in other counties and we did the same.

Q. Do you begin to fish as soon as the season opens on the 6th of January?—A. Yes.

Q. Have you any idea why they fixed it at the 6th of January instead of the first?—A. I have not.

Q. Or why you have not the same season here as they have in Yarmouth?—A. I have not.

Q. Is there any reason why you should not have the same season as they have in Yarmouth?—A. I should not think there was any.

Q. It would suit you just as well if your season began on the 15th of December and ended on the last day of May, would it not?—A. Yes, I think it would be all right.

Q. When you begin how many traps do you fish?—A. From 125 to 100.

Q. That is 2 men to a boat?—A. Yes.

Q. How far offshore do you go when you begin fishing?—A. 1½ to 2 miles.

Q. You fish entirely in the bay here?—A. Yes.

Q. What depth of water do you get at that distance?—A. About 12 fathoms.

Q. You select a rocky bottom?—A. Yes.

Q. How many fishermen are engaged in fishing from your neighbourhood?—A. There were 13 boats last year.

Q. What canner do you deliver your fish to?—A. To Mr. Thereault mostly.

Q. What canneries are there in this neighbourhood?—A. There are two factories that we sell to at Meteghan river and Meteghan here.

Q. Are there any further down?—A. Yes, at Cape Cove.

Q. How far off is that?—A. 8 miles.

Q. So that you have a number of canneries you can sell to?—A. Yes.

Q. Is there any competition in the matter, does one canner sometimes offer more than the others?—A. Well, yes they do.

Q. Do you deliver the lobsters to the cannery or to the smack?—A. To the smack.

Q. The smackman pays for them on the nail?—A. Yes.

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Q. But never makes any bones about it, he takes everything you give him?—
A. Yes.

Q. Do you sell by weight or count?—A. By weight.

Q. In the early days you sold by count?—A. Yes.

Q. And when the lobsters began to get small they took them by weight?—A. Yes.

Q. What is the best time of the fishing for you?—A. March, April and May.

Q. When you begin in January, is it not good then?—A. It is not so good, it is rough weather.

Q. What is your opinion about the movement of the lobsters in the bay; do you think they go out of the bay in the winter and come in in the spring?—A. Yes, I do.

Q. And in the warm weather they come into shoal water?—A. Yes.

Q. At the end of the season, if you fish up until June, will you get a larger proportion of small fish then?—A. Well, yes, we do.

Q. And do you see more breeding fish then, do you think?—A. I think so.

Q. But, of course, you find them all through the season?—A. Oh, yes, all through the season.

Q. Have you ever noticed whether the eggs are getting riper at that time?—
A. Oh no.

Q. Now with regard to the traps, are you putting your slats closer together than you used to when you first began to build traps?—A. Yes, I do.

Q. What was the space you allowed when you first began?—A. An inch and a half.

Q. And now it will not be an inch?—A. About an inch.

Q. Do you think there is anything in the proposition that we could provide for the escape of the small lobster by going back to the inch and a half space?—A. No, I do not think it would help them very much for I think you would get just as many small ones as when the trap was larger.

Q. You think when you disturb the traps the small lobsters would not go out?—
A. Not much, I guess in one night's fishing you would get about as many.

Q. Then why is it that the space between the slats has been made smaller?—
A. Because it would keep them longer.

Q. That is why you have adopted the parlor trap, to keep them longer?—A. Yes.

Q. Do you not think that the space has been made smaller in order to hold the small lobster?—A. Yes, to hold them longer.

Q. But you hold them altogether, do you not?—A. Yes.

Q. Do the fishermen here own their own boats and gear?—A. Yes.

Q. Do you use gasoline boats here?—A. No, I do not.

Q. Do you do any other fishing after the lobster season?—A. I follow the cod-fishing.

Q. Regularly?—A. Well, yes.

Q. Do you call yourself a fisherman or a farmer?—A. A fisherman.

Q. Are there many who fish lobsters and do any kind of fishing?—A. Yes.

Q. We find in a great many places that people who fish lobsters do no other kind of fishing?—A. They do not around here.

Q. In framing the regulations for governing the fishery, what would you favour, the encouragement of the live export trade or the canning?—A. Well, the canning I think.

Q. The canning appeals to you as being the most important?—A. Yes.

Q. How would it affect you as a fisherman if that 9-inch limit were strictly enforced?—A. I believe it would injure us quite a lot.

Q. It might hurt you for a year or two, but if the lobster grows two inches a year, as we are informed it does, do you not think that in a very few years you would benefit more?—A. If the limit were put at 8 inches it would be better for us.

Q. Do you think we would be any more likely to be able to enforce an 8-inch

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limit than we have been able to enforce a 9-inch?—A. Yes, I think you could put the 9-inch limit in force all right and the 8-inch, too.

Q. You think we could enforce the law?—A. Yes.

Q. Do you not think it would be well to enforce the law, then?—A. I think it would be.

Q. Do you not think that the 9-inch limit, if it were enforced, would in the course of a year or two result in your getting a greater percentage of large lobsters?—A. I suppose we would.

Q. Do you not think it is wrong, we know that the lobster does not reach the full maturity until it is 9 inches long, to take them before they reach that age?—A. Of course, if you put it down to the 8-inch limit it would be all right.

Q. Do you see many 8-inch lobsters with eggs on them?—A. No, I do not.

Q. Have you any idea what is the spawning month of the lobster?—A. No, I have not, we find them at all seasons with eggs on.

Q. Do you think they come into the shoal water during the warm weather to spawn?—A. I do not know about their coming in to spawn, but they come in in the warm weather.

Q. Do you think they spawn in deep water off shore?—A. I do not know.

Q. What do you think of the proposition to license the fishermen?—A. I do not think there is anything in it at all.

Q. You do not think it would make the fishermen any more likely to live up to the law?—A. No.

Q. The idea of those who recommend it is that if the fishermen signed the agreement to live up to the law they would not be liable to break it?—A. I guess you could get the law enforced without doing that.

Q. How is it with regard to the berried lobster, do you think she has always been well protected here?—A. I guess so.

Q. Was there never any stripping or washing done?—A. I never knew of anybody stripping any, not to my knowledge.

Q. Where would you go to enforce the regulation as to the size limit, to the canner or to the fisherman?—A. I would go to the canner.

Q. You would punish him?—A. Yes, if the canner would not take them we would not fish them.

Q. What do you think about hatcheries and pounds, have you ever given that matter any consideration?—A. No, I do not know about pounds.

Q. Do you think it would be well to establish a hatchery here?—A. I believe a hatchery would be all right.

Q. The department has received lots of recommendations as to how the fishery may be improved, some people say shut down altogether for four or five years?—A. Then we would starve.

Q. You think so?—A. I am sure we would.

Q. Is there nothing else the fishermen could turn to, are there not other fisheries they could devote the same time to, or could they go on farming?—A. I have no farm to work, and I believe that even if 9-inch lobsters were stopped we could not live.

Q. What do you think of this question of packing, do you think the fishermen would do better for themselves if they could pack lobsters?—A. I do not think so, they have all they can do to fish.

Q. Do you think there has been any combination on the part of the packers to keep prices down?—A. No.

Q. The fishermen generally are satisfied with the price they have received from the packers?—A. Oh, yes.

Q. Is there any station of the Fishermen's Union where you are?—A. No.

Q. Is there much illegal fishing done here before the season opens, or after it closes?—A. No, none at all.

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Q. What do you think of this matter of having different seasons and different size limits in adjoining sections; do I understand you would prefer to have the same season as Yarmouth county?—A. Well, of course, I would not mind about that, but I believe that for here we should have the same law as it was before, and have an 8-inch limit.

Q. You would have the season from the 6th of January?—A. Yes, and have an 8-inch limit, that is what we would like to have here.

Q. What is your reason for wishing to have an 8-inch limit here, do the lobsters run smaller here in the bay than they do on the coast?—A. Yes, sir, smaller than they do in deep water.

Q. Do you think they always did that?—A. A. Oh, yes.

Q. Is there any difference in the size, weight and colour of the lobsters here compared with those caught on the other shore?—A. I think so.

Q. What is the difference?—A. I think they are darker here.

Q. And is it the case that they are shorter and thicker?—A. I do not think so.

Q. Is there anything you would care to say yourself, anything that I have not touched on, if so, I will be very glad to have it taken down and lay it before the Committee?—A. No.

By Mr. Jameson, M.P.:

Q. Have you fished in the Bay of Fundy?—A. No, I have not.

Q. You are not very familiar with the Bay of Fundy conditions?—A. No, I am not.

Witness discharged.

JOSEPH B. ROBICHEAU, Meteghan, called.—I am not a fisherman, but I think that unless St. Mary's Bay is made a spawning ground and treated as such our lobster fishery will very shortly be lost and gone forever. I remember some years ago there was good fishing, and now there is hardly any; we used to go out at low water and gather them up on the rocks and now we can hardly get any fish. Unless you make St. Mary's Bay a spawning ground you cannot do very much by regulating the size limit at 8 inches or 9 inches.

By the Commissioner :

Q. What do I understand you to mean by treating the Bay as a spawning ground?—A. About the spawning ground I do not like to give any opinion on that; you should get some expert opinion with regard to it. But St. Mary's Bay is a shoal place, and one-half of the bottom is sand and mud, and it is salt water and sheltered. This would seem to indicate that it is the proper place for all kinds of fish to spawn, the haddock and all sorts of fish. I was one of the first to set lobster traps here 20 years ago and as far as I can see the lobsters have very greatly diminished, there are not nearly so many large ones now.

Mr. FRANK DEVEAU.—Mr. Robicheau says there is a big decrease in the lobster fishing. He does not think about the number of traps that are set in this bay now. When he commenced to fish, you could go along the beach and pick up the lobsters. I say that the lobster is like any other fish, they spawn like the codfish, the herring or the hake, and we keep on catching them. I have been here this last spring, and I caught as many lobsters as ever I did. Mr. Trudeau and I have fished together, we used to stock 1,400 in one boat, and now we are fishing in two boats and we are stocking 1,600 or 1,700. I would say there should be some little bonus for the men who save the seed lobsters and take good care of them. I know for my part if there is a hatchery here in St. Mary's Bay, at the head of the bay that the fishermen would

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take care of those seed lobsters and there would be an ample supply of eggs and the result would be that there would be a great increase in the fishery. I think myself there should be a hatchery in this bay if it could possibly be arranged.

The Commission adjourned.

DIGBY, September 18, 1909.

HART HAYDEN, fisherman, Bay View Post Office, called and sworn:—

By the Commissioner:

Q. How long have you been interested in lobster fishing?—A. About 12 years I think, somewhere about 10 or 12.

Q. Have you always fished in this same locality?—A. Yes.

Q. You never fished anywhere else but in this neighbourhood?—A. No.

Q. I suppose the most of the fishermen here own their own boats and gear?—A. Yes.

Q. As a rule how many traps do you fish?—A. Anywhere from 50 to 100 traps, 2 men in a boat would have about 100 traps.

Q. Do you fish them on trawl lines or single lines?—A. On single lines now, we used to set trawls and we have two-ended traps, with doors at either end.

Q. That is the old fashioned trap?—A. Yes.

Q. You have not adopted the new trap?—A. We have tried them, but did not find they were any better.

Q. Do you build your own traps?—A. Yes.

Q. What does the line and trap cost?—A. About \$1.

Q. In building the trap what distance do you allow between the slats?—A. No regular distance, we used to put them about an inch and a half.

Q. You have kept to the old fashioned trap?—A. Yes.

Q. In most places we find that they use the parlour trap and they have narrowed the space down gradually in order to catch the small lobsters?—A. Yes.

Q. When does your season begin?—A. 6th January.

Q. And it ends when?—A. The 15th June.

Q. Do you generally begin fishing at the opening of the season?—A. Yes.

Q. You begin sharp at the opening of the season?—A. Yes, if the weather is such that we can get out.

Q. How do you find the fishing then?—A. Very good when we once start in usually.

Q. How far off-shore and in what depth of water do you begin?—A. Anywhere from 15 to 25 fathoms.

Q. You generally select a rocky bottom, you do not set your traps on sand or mud bottom?—A. Oh, no.

Q. Do you fish on the same ground all through the winter?—A. No, we shift our gear. of course you have to fish more or less on the same ground, but you shift your traps a little each time you haul.

Q. What number of boats are engaged in the fishery in this locality?—A. Oh, I suppose there are—well where would you want from, this whole county?

Q. From this part of the county. I do not want it very accurately?—A. Annapolis county just joins us down here you know.

Q. Yes.—A. Do you want them in that county?

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Q. No, just Digby.—A. 40 or 50 boats.

Q. You fish here I suppose all through the winter?—A. Yes.

Q. You do not lay off?—A. No.

Q. Do you leave your gear out?—A. Yes.

Q. Does the fishery improve during the winter or is there a slack time?—A. It keeps getting slacker through the winter until the spring opens when it is usually a little better.

Q. Does it improve with you in March?—A. No, not much before May, it is the middle of May before it increases very much, when the weather gets warm they come in.

Q. What is your opinion, are the lobsters coming in from off-shore?—A. Yes, that is what we think.

Q. You fish up to the 15th June?—A. Yes.

Q. You generally fish up to the end of the season?—A. Most of us do; I generally knock off myself and go to the cod fishing.

Q. Are most of the men engaged in the lobster fishery here regular fishermen who fish all through the season at the other branches of the fishery?—A. Yes, most of them.

Q. You know that in a great many places there are many farmers who engage in it for a time and who go to no other fishing?—A. That is not the case here, I do not believe you can name one of that kind.

Q. Is it your experience that late in the season the fish move towards the shore?—A. Yes.

Q. And would you expect to get more then in shoal water and warm water?—A. Yes.

Q. What is the best time of your fishery, the early or the late fishery?—A. Well, in the warm weather we would get the most fish.

Q. You catch the most fish then?—A. Yes.

Q. When do you get your best supply of market fish, is it then too?—A. Yes.

Q. What proportion of your fish are exported alive to the market, and what proportion to the cannery?—A. We sell none to the cannery here.

Q. Are there canneries licensed in this neighbourhood?—A. No, not in this neighbourhood, there are some down below here, but the nearest one is at Trout cove.

Q. How far is that from here?—A. About 15 miles below here.

Q. You supply nothing but the legal demand, I suppose?—A. Yes, I ship all my lobsters to the Boston market.

Q. By what route?—A. By the D. A. railway.

Q. By Yarmouth?—A. Yes.

Q. And by boat from there to Boston?—A. Yes.

Q. How long does it take for your fish to get to Boston?—A. 17 or 18 hours.

Q. Do you get an immediate return for the sale of your fish?—A. Yes.

Q. What is the condition of that market fishery, how will the lobsters obtained to-day compare with those you caught years ago?—A. Well, a few years ago they were better than they were ten years ago, but they have not been as good the last two or three years as they have been in previous years.

Q. Has that change in the size limit in the state of Massachusetts from 10½ to 9 inches affected the price do you think?—A. Yes, I think so.

Q. So that here you are really market fishermen and you have no dealings with the canner to any extent?—A. No, none at all.

Q. Using the kind of trap you are do you get many small fish?—A. Not really small, but we get quite a number of 9-inch lobsters.

Q. In hauling up your traps do you find there are many fish below 9 inches?—A. No.

Q. Do you think they escape through the space between the slats?—A. Well, the smallest would.

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Q. As to the berried lobster what proportion of them do you find in your catch?
—A. Of course we do not get very many.

Q. Out of every hundred can you say what percentage you get?—A. I dare say they would average perhaps 5 to the hundred.

Q. Is that the general average?—A. Yes, about that.

Q. And they are generally a fair sized lobster?—A. Yes.

Q. What is the smallest lobster you have ever seen bearing eggs, or did you ever remark any very small?—A. No, I never did, I should not say that I have ever seen one less than a four or five pound lobster anyway.

Q. That would be a big lobster?—A. Yes.

Q. What is the average weight of the lobsters you do catch, what would they run?
—A. I suppose they would average perhaps three pounds.

Q. How many do you put in a crate?—A. About 80.

Q. Do you put more than 140 pounds in your crates?—A. We ship in barrels.

Q. Oh you ship in barrels?—A. Yes.

Q. Do you use the ordinary flour barrel or is it a packing barrel?—A. No, we take the ordinary sugar barrel, generally, in shipping.

Q. What weight is each barrel supposed to hold?—A. They would turn out anywhere from 150 to 180 pounds.

Q. So that there is a little more than there is in the average crate?—A. Yes, a little more.

Q. What freight do you pay on that barrel, what does it cost to get that barrel to Boston?—A. \$1.41 this last year.

Q. That covers the railway freight, the steamboat freight and all charges?—
A. We have to pay commission besides that.

Q. That is another thing, of course?—A. Yes.

Q. Do you meet with much loss of lobsters in transit?—A. Not a very big loss, there are times of course when we have some loss.

Q. Is that loss greatest during the warm weather?—A. Yes.

Q. You ship everything now over 9 inches?—A. Well, yes.

Q. When the size limit in Boston was $10\frac{1}{2}$ inches what did you do with those between 9 and $10\frac{1}{2}$ inches?—A. We threw them out.

Q. What has been the practice here by the fishermen with regard to the berried lobster?—A. I think as far as I know, of course there may be exceptions, we throw them overboard; I know I always do and most of the fishermen do.

Q. In some parts undoubtedly a large proportion of them are brushed off and they are brought ashore?—A. There are very few would do that around here.

Q. Is it the case that the egg bearing lobster is more tender and will not stand transportation as well as the others?—A. I think so.

Q. Is it the case that a lobster from which the eggs have been brushed will not live long?—A. She will not. I should not suppose she would.

Q. Do you notice any decrease in the average size of the lobster compared with when you began fishing?—A. Yes.

Q. Is it that they run smaller generally or are there as many big ones?—A. There are not as many large or small either, I mean there is a decrease in the whole thing.

Q. Are you fishing more gear now than when you began to fish?—A. Yes.

Q. Has the number of boats here increased greatly?—A. Not to a very great extent.

Q. What would you put—I do not want to know your own private business, but what would you put the average earnings of an active fisherman from the lobster fishery at? You see we want to show if possible to the Committee the value of the lobster fishery to the fishermen as compared with other fisheries?—A. Well, anywhere from \$100 to \$200 per year, of course it varies some years.

Q. And we understand that some men do much better than others?—A. There are some boats get as high as \$200 to the man.

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Q. That is clear of everything?—A. Yes.

Q. Now as to the other fisheries, which is the most important branch of the fishery here, the cod, halibut, herring or what?—A. It is between the haddock and the codfish, there is not much difference between them.

Q. What other fishing have you?—A. In the fall of the year we fish for haddock until away up in January, and cod fishing anywhere from March we can fish right through, but the best is from March to August.

Q. Is there no mackerel fishing done here?—A. No, none.

Q. To what do you attribute the decrease in the lobster fishery?—A. To the destruction of the small lobster.

Q. That, of course, has existed to a great extent elsewhere, I suppose you have no canning in this immediate neighbourhood?—A. Yes.

Q. Have you any idea as to the time the lobsters spawn, what do you think is the spawning season?—A. I do not know, I think they spawn almost any time.

Q. That is to say you find them with spawn on?—A. Yes, I have found them at any time of the year with spawn on.

Q. Do you not think they come into the shoal water for the purpose of spawning?—A. I suppose so.

Q. Do you find a larger proportion of egg-bearing lobsters towards the close of the season in shoal water, and in the warm water?—A. Yes, I think so.

Q. There is no use saying anything to you about the practice of the canneries since you have not one here. Do you know whether it is the practice of the fishermen who do deal with the canners to take everything they catch to them?—A. I cannot say anything about it, any more than from hearsay, I have never seen it myself, but I have heard it said that such is the case. Of course there are lobsters taken from this port to the cannery.

Q. If the canners refused to accept those berried lobsters what would the fishermen have to do?—A. They would have to let them go.

Q. Your limit here is 9 inches is it not? What is your size limit here?—A. 10½.

Q. You are in the Bay of Fundy part of Digby county?—A. Yes.

Q. Have you any knowledge or experience in the matter of hatcheries or pounds for holding the lobsters?—A. No.

Q. Has any attempt ever been made to enforce the regulations, such as they are, to your knowledge?—A. No.

Q. What is your opinion of the present policy of the department in having different size limits and different seasons in adjoining sections of the coast?—A. I think it should not be, I think it should all be one regulation.

Q. What reason have you for objecting to the present conditions?—A. Well, there is a manifest difference in the fishing between us and Annapolis county, right adjoining; they fish on the same ground as we do, and they start in at the same time as we do and fish right along and when we take up our traps they still keep right on. That is not giving us an equal show. Another thing, small lobsters can be caught in St. Mary's bay, we are fishing on one side of the bay and they are on the other, and we are catching small lobsters and throwing them out, and the next boat to us is catching them up and carrying them to the factory, I do not think that is fair at all.

Q. Is any attempt made by the local officers to regulate that matter of the season?—A. No.

Q. And it is the case that the fishermen from Annapolis county come down and fish all the year round in Digby county?—A. Yes.

Q. During the season that would be closed to them if they observed the regulation?—A. Yes, they fish right along, boat for boat sometimes.

Q. To what extent is fishing carried on in Annapolis county?—A. It is carried on to a pretty large extent.

Q. Are there many lobster fishermen fishing from that county?—A. Yes, quite a lot.

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Q. And they come down, you say, and fish in the early part of the season on your ground?—A. Yes, with us, and on the opposite side of the gut from us, only three-quarters of a mile away, and they fish right along.

Q. There are no canneries in that county?—A. No, they ship all their lobsters.

Q. Where do they ship to?—A. They sell mostly to Boston, of course Mr. Sproule here is the buyer who buys more or less there.

Q. And they are shipped through Digby to Yarmouth?—A. Yes.

Q. They do not go to St. John?—A. No.

Q. As far as you know, do you think the canner could continue in business if the law were strictly enforced?—A. No.

Q. That is the 9-inch limit?—A. No, he could not.

Q. Have the canners always within your knowledge been unwilling to receive any undersized lobsters?—A. Yes, I think so.

Q. I suppose there is hardly any use for me to ask you which branch of the lobster industry you think is the most remunerative to the fishermen and the best calculated to maintain the supply unimpaired, the canning or the live lobster trade?—A. The live lobster trade.

Q. There is not much use going into the question of the canning here because it does not exist and does not immediately bother you. Now, what is your opinion as to the regulation, what do you think would be best for the future; what should the law be?—A. Well, I think we should have an open season for the year round and a restriction on the lobsters.

Q. What would you put the restriction at, what size would you suggest?—A. $10\frac{1}{2}$ inches.

Q. In view of the change in the Massachusetts law, do you think it would not be well to cut the size down to the same limit they have, or would you prefer to see it remain at 10 or $10\frac{1}{2}$?—A. I should not care about seeing it cut down to 9, but 10 would be all right.

Q. You would say an open season all the year round and a 10 inch limit?—A. Yes.

Q. And a strict enforcement of the law?—A. Exactly.

Q. With proper provision for the care of the berried lobster?—A. Yes.

Q. You think if that regulation were strictly enforced the fishery would improve and there would be no fear of depleting it?—A. Yes, I do.

Q. You made a statement a few minutes ago that Digby county did not have as long by a month as Annapolis county. I think you are a little off there. Annapolis county has from January 15 to June 30, whereas Digby county has from January 6 to June 15, that is not quite a month?—A. Well, I understood it was a month, but I see it is not quite that much.

Q. During what month do you lose the most of your time?—A. Well, there is quite a lot of time lost anyway through January which is usually a cold and rough month and then there is February and March is also quite a rough month, we are more apt to lose time in that month than any other.

Q. Do you lose your gear here from rough weather?—A. Not very much, of course we make our traps heavy and we fish in deep water, of course there is a lot of loss from ice which comes down through the bay and cuts off the buoys.

Q. About how long is the life of a trap with you; how often do you renew your gear?—A. It is supposed to last one season if it is not carried away.

Q. Will the traps not last more than one season?—A. We never count on them for more than that, we reckon to supply traps every year.

Q. Although your season is apparently long you lose a great part of your time through rough weather?—A. Yes.

Q. How often do you visit your traps during the winter months; how often do you visit them when you begin in January?—A. There will be a day now and again that we do not go to them, but we will make an average right through the season, I should think there would be about two days a week that we haul them, that is in Jan-

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January, February and March, of course there will be other months that we do it oftener.

Q. You fish in the Bay of Fundy, not in St. Mary's bay?—A. We fish in the Bay of Fundy.

Q. How far is it from the gut here to Tiverton; what is the extent of the coast line here. I hav'nt a chart with me?—A. 28 miles.

Q. And how far down that length of shore do you go from here?—A. We usually go outside in the Bay of Fundy two miles down, the fishermen from the gut here, and the fishermen from Broad Cove come up and join us.

Q. How many fishing stations are there between here and Petit Passage?—A. I do not know exactly, but I should think there must be at least ten anyway.

Witness discharged.

LEANDER ELLIS, fisherman, Bay View, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishing?—A. Five years.

Q. Always in the same locality?—A. Yes.

Q. You never fished lobsters before that anywhere else?—A. No.

Q. During the time you have been fishing have you noticed any decrease in the fishery?—A. Yes.

Q. Is it not as good now as it was when you began?—A. No.

Q. To what extent would you say it has failed?—A. I should say one-third or more.

Q. Is it that you are seeing more small lobsters or do you not see as many lobsters of any kind?—A. We do not see as many of any kind.

Q. Are you engaged in the export trade altogether?—A. Yes.

Q. You export all the lobsters you catch?—A. Yes.

Q. Are you engaged in any other kind of fishing, do you fish generally?—A. The hand line fishing.

Q. How came it that you only began the lobster fishing so late?—A. I was away from here, I only moved here six years ago.

Q. Were you brought up to the fishing?—A. Yes.

Q. You fish on the same ground as the gentleman who gave evidence before you?—A. Yes.

Q. And in the same depth of water and under the same conditions?—A. Yes, right in the same place.

Q. To what do you attribute the decrease in the lobster fishery?—A. Well, the destruction of the small lobster.

Q. That is to say not on the particular ground where you fish?—A. No.

Q. But on the ground below you, or where?—A. As a rule everything is taken that we catch.

Q. Do you sell anything to the cannery in your case?—A. No, we do not sell any to the canner, but there are buyers who buy the small lobsters and export them.

Q. What do you call small lobsters in that case?—A. From 9 up to 10½ inches.

Q. Those are what we generally call mediums in other places, those small lobsters, as you call them, are exported to the same market as you ship your larger lobsters to?—A. To the same market.

Q. Why is it you do not ship those lobsters yourself if the market is open to you and you are shipping the other lobsters?—A. We do not very much around our locality, some of the people do, sometimes they will have a barrel half full of big ones and fill it up with small ones.

Q. Is there much difference in the price between those mediums and large-sized lobsters in the market?—A. There is a difference.

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Q. What would you say are the average earnings of a competent fisherman from the lobster fishery?—A. From \$150 to \$200; I know three or four years ago two of us in a boat stocked \$590, and this year two of us in a boat stocked \$100 to a man.

Q. Was that due to the poor season, was there rough weather and a poor market or what?—A. The weather is always rough enough with us, but the prices were not quite so high, and there was a falling off in the lobsters.

Q. What style of a trap do you use?—A. The old style double ender.

Q. About what space would you say is left between the slats?—A. Fully an inch and a half.

Q. And what size mesh have you in the net at the end?—A. Well, about one and a half to two inches.

Q. Do you think that the practice of putting the slats closer together than they used to be was introduced with a view of holding the small lobsters in the trap?—A. Well, it would hold more small lobsters, these little chickens.

Q. Where everything is taken to the cannery we found that the traps in some places were made with a space not big enough to put your finger through?—A. Two years ago I picked up a trap that had got adrift, I suppose it came out of St. Mary's Bay, it was flat on top, and I noticed that the laths were very close together and the mesh in the head was very small, it was all baited and set out, and it would hold little lobsters not more than three or four inches long.

Q. You noticed that it would hold smaller lobsters than you fish yourself?—A. Yes.

Q. Do you think it would be reasonable to insist that the traps be made with a certain space between the slats?—A. I think it would be advisable.

Q. By doing that we would secure the escape of a certain quantity of small lobsters, a certain proportion of them would escape you think?—A. Yes, those little ones would escape.

Q. You own your own boat and gear of course?—A. Yes.

Q. What number of traps do you fish?—A. 50 or 60, in fact in the winter time we fish 50 and towards the spring we fish more.

Q. What is your experience as to the winter months, to what extent is the fishery carried on during the rougher months of the winter?—A. Well, there is an increase in the lobsters towards the spring.

Q. But what I mean is you begin to fish in January?—A. Yes.

Q. What sort of a month is January with you, do you lose much time in January?—A. Quite a lot.

Q. And what about February?—A. In February we lose a lot.

Q. And in March?—A. We lose most all the time then.

Q. It is usually a stormy month?—A. It is a stormy month and generally we do not want to go out in the Bay of Fundy any oftener than we can help; after the 20th of April we plan to haul quite frequently.

Q. You can attend your traps more regularly?—A. Oh, yes.

Q. At what time do you find the market generally is the best for the market lobsters?—A. In February and March.

Q. Those are the best months?—A. Yes.

Q. I suppose there are fewer lobsters coming into the market then and the price is higher?—A. Yes, that is the idea.

Q. And they are fewer because the season is rough, and the fishing is not carried on so extensively, is that the idea?—A. Yes.

Q. Do you ship your lobsters to a commission merchant in Boston?—A. Yes.

Q. What is your idea of the spawning season of the lobster, when do you think they spawn?—A. I could not just say when they spawn, but we have caught them right along in the winter with eggs on.

Q. With the spawn on them then?—A. Yes, with the spawn on them.

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Q. The berries then are generally black and hard are they not?—A. Yes.

Q. Do you notice that as the water gets warmer and the season advances, the eggs get ripier and change colour?—A. Yes, they get larger.

Q. Do you ever get far enough advanced for you to notice the eye of the young lobster under the shell?—A. No, I have not noticed that.

Q. Do you think you find more egg-bearing lobsters late in the season and in shoal water than you do off shore?—A. Yes.

Q. You think they come into shore then?—A. Yes, towards the shore, I think all lobsters do.

Q. Is there much fishing done in the bay itself here, inside the neck?—A. In the basin do you mean?

Q. Yes, in the basin.—A. Yes, quite a lot.

Q. Do you fish close in?—A. No.

Q. You fish outside?—A. Yes.

Q. Who carries on the fishing inside, in the basin?—A. There are three boats I think from our town here, that fish inside, but those boats that fish inside do not fish outside.

Q. What is the nature of the fishing inside, do they get market fish in there too?—A. Yes.

Q. And they generally export their lobsters?—A. Yes.

Q. Do they get as large a run of lobsters inside as you do?—A. Larger, but not quite so many of them in number.

Q. Is there any season when there are no lobsters in the basin, do they ever move out of it?—A. Not to my knowledge.

Q. You can catch them in the basin at all seasons of the year?—A. At all seasons.

Q. What is the average depth of water in the basin?—A. Twenty-five to thirty fathoms.

Q. How is the bottom over the basin generally?—A. Well, it is hard bottom except in places up through the channel, but I think it is a pretty hard bottom.

Q. Has there ever been any canning done in the basin to your knowledge?—A. Not since I have been here.

Q. Was there ever a canning factory in the basin here?

Mr. HAYDEN.—Yes, there was now that I think of it, at one time there was a canning factory here.

Q. What is the practice of the fishermen with regard to the berried lobsters?—A. Well, the most of the fishermen I think just take them out of the traps and put them overboard, I know I always do.

Q. Do you think the practice of stripping the lobster has ever been carried on?—A. Brushing the lobster, do you mean?

Q. Yes.—A. Not to my knowledge.

Q. It has never been practiced here to any extent?—A. No.

Q. Of course on some parts of the coast it has been practiced and is practiced still?—A. No doubt of that, you might find men occasionally that will do it.

Q. Do you think the fishermen generally are beginning to recognize the necessity for protecting that lobster?—A. Yes.

Q. And they have a better idea of the injury they are doing to the fishery by destroying the berried lobster?—A. Yes, I think they appreciate that now.

Q. Is there any fishing done off shore here by smacks from the United States?—A. No, I do not think so, now.

Q. You have never known of American vessels carrying on the lobster fishing outside?—A. No.

Q. Have the American smacks come up here to buy lobsters?—A. Yes.

Q. Are they still doing that?—A. Yes.

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Q. Do they come in large numbers?—A. This last year I think there were four different ones.

Q. Where did they hail from?—A. I do not know exactly, I never sold any lobsters to them, but I know that I have often seen them pass in and out.

Q. Is there any lobster fishing done out of season?—A. Yes.

Q. In what way?—A. Well, there are men to-day, I suppose, who have a full gang of traps in the water round our shores.

Q. Is that in the basin or off shore?—A. In the basin and outside.

Q. What becomes of the lobsters they catch?—A. They supply the boarding houses and the hotels in town, I guess they find a home market for them in the close season.

Q. Is that done extensively, is there a great deal of that done?—A. Yes.

Q. Now what is your view with regard to the regulation; what regulation would you suggest for the better protection of the lobster fishery?—A. Well, I think if we had fishing all the year round with a ten inch limit and nothing taken smaller than that it would be the best.

Q. And you would have the regulation strictly enforced?—A. Yes, the regulation should be strictly enforced.

Q. There would be no use allowing fishing all the year round unless the law were absolutely enforced?—A. Well, if the small lobsters are not protected we cannot expect to catch big ones.

Q. Then, of course you think that the branch of the fishery which should be provided for in this district is the live lobster trade and not the canning?—A. Certainly.

Q. The canning is altogether out of the question and a secondary matter?—A. Yes, it is out of the question, because I do not think they deal with the large lobsters at all, it is the small lobsters the canners are after.

Q. Are there any local dealers exporting the large lobsters who purchase them from the fishermen here?—A. Yes.

Q. So that all the fishermen do not export their own lobsters?—A. No.

Q. I do not think of anything else to ask you, is there anything else you would like to say yourself that I have not asked you about?—A. I would like to say that the fishermen to-day that call themselves lobster fishermen want to see this fishing out of season stopped, they want to see something done about it because they are not going to put up with it.

Q. They want that as well as some changes for the protection of the small lobster?—A. Yes, I know that the cutter was around here a month or six weeks ago and cut away a lot of gear, but there is still a lot of it in the water yet.

Witness discharged.

J. M. HAYDON and ISAAC ELLIS, Fishermen, Digby, who were present, stated that they fished on the same ground as the previous witnesses and fully approved of all that they had said.

DAVID SPROUL, canner, Digby, called and sworn:—

By the Commissioner:

Q. Do you figure as a canner or what are you?—A. Well, I am interested in canning.

Q. In what locality do you carry on canning?—A. The cannery is in Canso.

Q. Oh we were up there, and we had a witness of the same name as yourself there, still we are very glad to hear anything you have to say in connection with the lobster industry?—A. That was my brother you met at Canso.

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Q. What is your connection with the lobster industry in Digby county?—A. Well, I have not very much connection with it in Digby county, we buy small lobsters here, but not to any great extent; we operate in Annapolis, Kings and Cumberland counties farther up the bay.

Q. To what extent is the fishery carried on in those counties?—A. Well it is all a live lobster trade there, but there are as many fishermen fishing lobsters in those counties as there is room for.

Q. Can you in a general way give us any idea of the number of boats engaged in the fishery in those counties; have you been up there among them and know the conditions?—A. Oh yes, I have been up there among them.

Q. What number of boats would you say are fishing lobsters in Annapolis county?—A. I think there are a hundred.

Q. And how many in King's county?—A. About 70 probably, along about that.

Q. And in Cumberland county?—A. Not over 50.

Q. Where do they find a market for their lobsters?—A. They sell to the buyers, the principal part of their catch, and a part of it they ship themselves.

Q. They sell to buyers who reside there and do other business in the various counties up there?—A. No, they sell—well there are only two firms that go up there, ourselves and Captain Anderson.

Q. They sell to smacks that come along and collect the fish there?—A. Yes.

Q. And bring them up here?—A. We bring ours here, and Captain Anderson takes them to Carter's Cove where he resides; he ships in American smacks.

Q. Is there any canning done along this section of the coast?—A. No.

Q. So that their trade is entirely in fresh lobsters?—A. In fresh lobsters.

Q. Their size limit is fixed at 10½ inches, is it not?—A. Yes.

Q. Is that regulation enforced any better there than it is elsewhere, or do they catch small lobsters?—A. It has been observed pretty well heretofore, but they say up there that the fishermen down here catch them and they might as well catch them too.

Q. What do they do with them?—A. They sell to us.

Q. That is down to 9 inches?—A. Yes.

Q. And what about those below 9 inches?—A. They get very few below 9 inches, the lobsters run larger up the bay than they do down here.

Q. Are they as plentiful up the bay as they are here?—A. Yes, I think they are, in fact, more plentiful.

Q. Have you any idea what is the best season with them?—A. The best season with them is the month of June.

Q. Do you think that the lobsters come up and down the Bay of Fundy, that they back out of the Bay of Fundy in the winter?—A. I do not think they do very much, apparently they do not seem to come and go like other fish.

Q. They winter in the bay, you think?—A. I think they do, off shore, and they come in in the spring.

Q. How is the fishing generally carried on with them, do they catch them in deep water or shoal water?—A. Shoal water.

Q. Towards the shore?—A. Yes, when they come in.

Q. Have you any idea of the percentage of the egg-bearing lobsters they see in the month of June up there?—A. I should think there would be one or two to the hundred.

Q. Have you any idea of the practice of the fishermen up there with regard to that lobster?—A. Yes, they generally let them go, in fact I think they always do, I never knew any of them to save the berried lobster.

Q. I understand that you carry on business here, of course you export to Boston in the same way as the fishermen do, by way of Yarmouth?—A. Yes.

Q. Has the change in the size limit in the State of Massachusetts affected the market to any considerable extent?—A. Yes.

Q. Has it depreciated the market?—A. It has.

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Q. For the large lobsters as well as the small?—A. Yes, it has depreciated the large as well as the mediums.

Q. What is your own idea as to the best regulation to enforce for this district?—A. For Annapolis, King's and Cumberland counties?

Q. Well, the whole region around here?—A. Well, my idea of it is that east of Digby Gut, January, February and March months are of no use whatever to the fishermen, they will all agree with me I think, that they do not want January, February or March.

Q. That is east of Digby Gut?—A. East of Digby Gut, well they might right around here handy to the Gut for a couple of miles or so, but for all the rest of the section they do not want the winter months; the water is shoal and gets rough, and no one would like to go up there for them, they have no way of getting them to market, so that they do not pretend to fish. During the last twenty years they have not fished lobsters until about the middle of April, except as I told you right handy around the Gut for a mile or so where they go out a little, so that they can get back easily.

Q. Is it the case that the fishermen up there come down here and engage in fishing in the early part of the season?—A. No, I think you misunderstood Mr. Hayden, it is just around the entrance to the Gut that they come across, within a mile or so.

Mr. HAYDEN.—Yes, that is so.

Mr. ELLIS.—January, February and March are not worth much to the lobster fishermen, because it is very rough weather then.

Q. But you get a better price in February for the lobsters you do export?

Mr. ELLIS.—Yes, but there are very few caught.

A. Beginning on the 15th of April and extending to the 15th of July is what the fishermen want in that region.

Q. Do you not think that by extending the season to the 15th of July you would be encroaching very much on the regular spawning season of the lobster?—A. No, not in the waters of the Bay of Fundy up there.

Q. When do you think the lobsters spawn up there?—A. Well, I think they spawn in August and September, but I have always noticed that there are berried lobsters in every month of the year.

Q. Oh yes, they carry eggs all the year round some of them.—A. But I have noticed them quite often when they turn a kind of reddish colour, that is when they are getting ripe in the latter part of July and in August.

Q. How would a size limit of 10 inches and a fishing season all the year round affect the question? It is very difficult to have these different size limits and different seasons in adjoining sections, it leads to complaints of infractions of the regulations?—A. I do not think that the catch would warrant fishing all the year round; our lobsters are scarce here they say even in April and by the first of July the catch gets very small so that many fishermen haul their traps before the season is over.

Q. Is it not the case that in Maine where the lobster fishery was depleted undoubtedly by the canning the doing away of the canning and the enforcement of the 10½ inch limit, in spite of the fact that they fish all the year round, there has been an improvement in the fishery?—A. Well, I see some are of the opinion that the lobsters are plentiful in the State of Maine, but they have not canned any over there.

Q. No, they gave it up over there and they moved in here, in fact the pioneers of the canning industry, in the Gulf of St. Lawrence at all events, were the people that came from Maine who gave up the canning there after they had played it out?—A. Yes.

Q. And since the canning has been abandoned in the State of Maine and they have had a large size limit their fishery seems to have improved?—A. Yes, some say it is improving, that is in price, but the size is not so large.

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Q. Do they live strictly up to the regulation of 10½ inches in the State of Maine?
—A. Well, they have been taking 9 inch lobsters for a couple of years there.

Q. Did they alter their regulations at the same time as the State of Massachusetts?—A. Yes, they have been shipping 9 inch lobsters to the State of Maine for the last 2 or 3 years.

A Fisherman.—At what port in the State of Maine?—A. Eastport.

A Fisherman.—I have been all through there and I have never seen it, the American government paid \$1.00 each for their seed lobsters.

A. The lobsters are taken in by American smacks, and they buy everything, so they say, from 9 inches up.

Q. Some people say that the practice is in the State of Maine to put the lobsters in a pound and hold them there until the market reaches the high figure, and it has been suggested that should be done here?—A. It has not been done here.

Q. Some people think it might be done to advantage?—A. Oh, of course it might be done to advantage.

Q. Do you think it is possible that might be done here without any chance of violation of the law?—A. It might give them an opportunity to cover up what they caught during the close season.

Q. As regards the rest of Digby county, going the other way, what would you say as to the regulations?—A. I would say that the size limit should be enforced.

Q. At what size?—A. Well, I should say nothing less than 9 inches.

Q. Is it to your knowledge that it is not enforced?—A. I am certain it is not enforced.

Q. Was it ever enforced?—A. No, not for a number of years back.

Q. To what extent is canning carried on here, if that 9 inch limit were strictly enforced how would it affect the canners?—A. I think they would give up canning and go into the live lobster business.

Q. There is practically not much canning done in this immediate neighbourhood?—A. No, 15 miles away there is a small factory.

Q. Was it ever carried on here?—A. It was 12 or 15 years ago.

Q. Who operated the cannery?—A. The Digby Canning Company. We were a branch firm then.

Q. How was it you gave it up, was it to develop the live lobster trade?—A. We could not get enough small lobsters to keep it going.

Q. Is there any further statement you wish to make in connection with the fishery?
—A. There is one thing I have always had in my mind and that is the reason the law has never been enforced is that the fishermen will not inform on one another. The fishery overseers apparently think that the fishermen should inform, and bring complaints of the violation of the law to them, well the fishermen will not do that and I think the fishery overseer should do that and that he should be paid enough money to look after the enforcement of the size limit properly.

Q. Talking about the matter of informing, some people have suggested that the lobster fishermen should be required to register before commencing to fish, that they should take out a license, there need not be any charge for it necessarily, which would recite the provisions of the law and the fishermen would sign an obligation to respect the law and live up to it strictly. The idea of those who suggested this was that having done that the fishermen would feel themselves bound to obey the law, more so than they do at the present?—A. Yes.

Q. And they would in all probability inform on others who did not obey the law, that each fisherman would regard himself as in a sense, a fishery officer. Of course the intention is that those who were proved to have violated the law would be refused a license and would not be allowed to fish lobsters another season; do you think that would work, would it be advisable to make such a law?—A. The fishermen

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will not inform on one another, they are afraid of getting their traps cut away if they did.

Q. You say that it is the duty of the fishery officer to look after violations of the law?—A. Yes. I think it would be a good thing to have the fishermen take out a license that would not cost anything, and to have him bound by a certain regulation, because I think he would have a certain respect to his oath. Of course the conditions are quite different below here from what they are in Annapolis, Kings and up the bay.

Q. They are different everywhere, they are different in St. Mary's Bay, but the conditions in the Bay of Fundy are the same as exist all along the coast.—A. The fishermen in these three counties do not attempt to fish in the winter months, and they think if they had a little later season it would help out on the prices that the other fishermen get.

Q. And the price in July would be higher than it is when the other fish are coming on?—A. Yes, that is it.

Q. The fishermen in some places have said that if they were allowed to go into the canning it would be better for them; you do not want to go into the canning here?—A. No, none of us want it. I might say something I omitted to say with respect to the weather in the Bay of Fundy. The fishermen and all those that are acquainted with it know that it is a very rough piece of water with very strong tides, and they cannot go off shore far because a little wind makes it very rough, so that they cannot attend to their traps but two or three days a week, and sometimes they have to go a whole week without attending them. It might be as fine and as free from wind as it is to-day, but a little wind springs up and you cannot go out.

Q. Are the conditions any worse up the Bay of Fundy than they are at the mouth?—A. Yes, the water is shoaler and wind makes it rougher.

Q. Have you all the facilities for the encouragement of the live lobster trade; do you meet with any loss in the export of those lobsters that could be prevented?—A. Yes, in May and June we lose a considerable number of lobsters, in fact we have to ice them, and even then we lost a lot because we used to put the ice on the top of them, but we have learned now that the fresh water from the melting ice running down on them killed them and now we put it underneath them. It would be much better if they had a particular part of the boat set apart for the lobsters where the heat from the engine and boiler room would not affect them so that they would arrive in much better condition.

Q. That is to say if they were fitted with cold storage or a cool chamber?—A. Yes, that would be all right.

Q. How are these lobsters generally carried, between decks on a steamer?—A. Between decks.

Q. Do they put them in the hold at all?—A. Yes, a great many have to go down in the hold and there they suffer from the heat of the boiler. This summer we lost one whole lot of lobsters, they said every one of them was dead when they reached Boston, and we lost \$75 on one shipment.

Q. Is there any endeavour made on the part of the owners of these steamers to encourage, foster or protect this live lobster trade which seems to furnish a very large part of their freight?—A. They seem to talk that way, but they ship from Yarmouth in the season any where from 600 to 1,500 crates of lobsters at a time, and when they go in such large quantities as that some of them get next the boilers and have to suffer.

Q. One would think having in view their own interest they would do all they could to encourage that trade?—A. Yes, you would think so.

Q. Then there is no doubt that if these steamers were furnished with cold storage a large proportion of those lobsters that are now lost would be saved?—A. Yes.

Q. The loss occurs between Yarmouth and Boston, it is said?—A. Yes, between Yarmouth and Boston. But I think it would be good business on the part of

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the government to provide proper cars for the transport of lobsters on the railway as they do now through New Brunswick from Shediac to Campbellton.

Q. They ship them in refrigerator cars there.—A. Yes, there are refrigerator cars supposed to go once a week.

Q. I think the government agreed to pay part of the freight on fish?—A. That is for the fresh fish for the Canadian trade, but I think they should do something for the Boston trade, the greater part of our lobsters go to Boston.

Q. Would you say that some arrangement should be made for the extension of that system of refrigerator cars to which you have referred, so that the live lobster trade of this section might benefit by it?—A. Yes, I think it would be a good thing for the development of the live lobster trade, and it would be in the best interests of the fishermen.

Q. I suppose that refrigerator car service was provided with the view of encouraging that trade from Prince Edward Island?—A. Yes.

Q. But of course that is a very small proportion of the trade and always will be?—A. It is just a matter of time, the lobster cannot stand more than 40 or 50 hours and arrive in the market in any kind of fair condition. If they can be taken to any part of Quebec inside of 48 hours I think the trade will develop; in fact I know parties that are already thinking of trying to develop the lobster trade up there if they could get the right kind of cars.

Q. Of course these are all facts that it will be just as well to lay before the committee, as they concern the future of the industry.

By Mr. Jameson, M.P.:

Q. Do you think there can be any shipment of live lobsters to Ontario? Or has there been any shipment?—A. Yes, there have been some shipments; quite a lot have been shipped by express to Montreal and Quebec, and as far as Detroit, and they have arrived in good condition.

Q. How does that business pay compared with the Boston business? It pays, but not quite as well.

By the Commissioner:

Q. There is a steamer fitted with cold storage running along the north shore of the gulf, and several of our cannerys there have given up canning and are exporting their lobsters alive by that route?—A. It is only a question of time when canning will go out.

Q. There is a feeling on the part of a good many people that it will be better to boil the lobsters in this country, as they are taken fresh from the water, and have them exported in cold storage?—A. Well, the boilers in Boston do not think so, they think they must have the lobsters alive, and then they can express them to their customers pretty quickly; in fact even the Boston boilers are now shipping most of their lobsters to Chicago and the west alive.

Q. Do you think lobsters kept for some time in a boat packed in a crate, and then packed on the steamer to Boston, and held in cars there in the polluted waters of the harbour will reach the consumer in as good order as they would if they had been cooked on the coast as soon as they were taken from the water and then chilled or frozen?—A. I think they would.

Q. Do you not think the lobster is deteriorating every hour it is out of the water?—A. I do not know, but I think that experience has shown it is best to ship alive as far as possible and then cook them; when boiled here they turn slimy and they waste in shipping, and get sour very quickly.

Q. I have seen lobsters cooked in Anticosti, held in cold storage for a year and then served in perfect condition. Mr. Menier has tried that experiment there, he

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has had a cannery operating there, and he has the idea that he can do better that way than by canning, and he would even export them to France if he could keep them cool enough?—A. There is always a prejudice against frozen fish, they lose a certain amount of the flavour they had when they were fresh; there is just about the same difference between frozen and fresh fish as there is between the canned lobster and the fresh one.

Q. Has it never been proposed to export lobsters to the old country, to Europe?—A. I have heard it mentioned this winter, that it is possible to ship them over in tanks, and I do not know but what it will come around all right.

Q. Has it come to your knowledge that a considerable quantity of lobsters are bought by the United States smacks off the coast here?—A. Yes.

Q. Where are they taken to generally?—A. To Portland.

Q. Those lobsters are taken to supply the pounds along the coast of the State of Maine?—A. Yes, they are kept in pounds until our season is all closed up here in the early part of the winter.

Q. That will be one reason why we should be allowed to establish pounds on our coast?—A. I should think that would be a good reason.

Q. Would our harder winter hurt the pounds at all, they might freeze over?—A. It would, we have more to contend with on this side than they have on the other side.

Q. Could the lobsters be held in a pound that was frozen over?—A. Yes, the ice would not affect them.

Q. Are there any stations of the Fishermen's Union in this part of the world?

Mr. HAYDEN.—No.

A. There was one partly organized a little further down but it has never amounted to anything.

Q. What was the matter?—A. The fishermen did not take enough interest in it to attend the meetings.

Q. What is the nearest factory?—A. The only one I know of would be about 15 miles below here.

Q. Is there only one between here and Petit Passage?—A. Only one.

Q. Have you any idea of the average pack there?—A. 200 or 300 cases.

Q. So that canning, as far as this part of the county is concerned, is an industry of the past?—A. Yes, the price for canning lobsters during the past year has been so low that even down there I do not think they have canned very many this year, for the simple reason that the live lobster trade can pay more for the lobsters than they can. Except those under 9 inches, they can all under that size, but that is all they do can.

Q. And I suppose the culled and mutilated lobsters?—A. Yes, I think it would be a very wise thing to enforce a regulation specifying the space between the slats in the trap, the overseer could see that it was carried out, and that would allow the small ones to escape.

Q. I am inclined to think it would be a good thing, although some fishermne tell us it would not make any difference, but I think after thirty-two years' experience I have noticed that where the laths used to be 1½ inches apart they are gradually narrowing them down, and there can only be one reason for doing that, to hold the small lobster?—A. Yes, no doubt about that. I have heard and read a great deal about the wisdom of the government paying the fishermen for bringing in the berried lobsters so that they could be held until after the season is over, but I do not think that would affect us very much here as the fishermen all say they let them go, and it is better I think to liberate them on the ground where they belong.

Q. There is no doubt the best way to allow the lobster to survive is to let her do her own work?—A. Yes.

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By Mr. Jameson, M.P.:

Q. Do you think that pounds or a lobster hatchery would be any benefit to the industry in these waters, I am very strongly of the opinion myself that it would?—A. Yes.

Q. It would serve to advantage in either one of two ways, the pound would allow the lobsters to propagate and reproduce naturally, and on the other hand, it would ensure that the lobsters would be allowed to reproduce, if the fishermen were assured that he would get a better price for her, undoubtedly he would sell her to the pound.—

A. But I see the difficulty that it would be robbing the head of the Bay of Fundy of their lobsters, and bringing them to a place where the fishermen up there would get no benefit from them.

By the Commissioner:

Q. If there are to be hatcheries established they must not be too far apart, because the fishermen already object to that where they are in existence, and if we had pounds it would be better to have a number of small pounds scattered along the coast than to have one large pound.—A. I never could see the wisdom of taking care of the seed lobster and letting them spawn and then allowing the fish to have a chance to destroy the young lobsters.

Q. Where they spawn the other fish do prey on them, the mackerel especially?—A. The pollock and other small fish prey on the spawn and I think in that way they destroy them. If it is possible they should be protected until they get a little size.

Q. You cannot protect the young lobsters very long because they devour each other, they are their own worst enemies, if you put a dozen of them in a glass jar to-day you will only have a half a dozen there to-morrow.—A. And it is the same with the large ones also.

Dr. JONES.—Has anything ever been done yet to re-stock the waters by means of hatcheries?

The COMMISSIONER.—Oh, yes, there are several hatcheries in operation, there is one at Cariboo Point, Pictou county, and the fishermen there maintain that they have derived great benefit from the work carried on there.

A. I remember once attempting to hatch lobsters from spawn in a hatchery up at Gaspé, and the attempt was a failure.

Q. Thereby hangs a tale, they built the hatchery in a fresh water pond, trying to combine the lobster and the salmon hatchery, and it did not work together.

Witness discharged.

The Commission adjourned.

(Memo. subsequent to the adjournment Mr. Sproul, Mr. Hayden and Mr. Ellis, waited upon the Commissioner and informed him that having talked the matter over they had agreed it would be better to have a 10 inch limit for the whole of the Bay of Fundy in order to make the regulation uniform, if possible, for the whole district.)

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NEW BRUNSWICK.

LEPREAU, September 20th, 1909.

ROBERT ELLIS, fisherman, Mace's Bay, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. I suppose I have fished lobsters twenty-three years.

Q. Have you always fished in this neighbourhood?—A. Yes.

Q. Your season of fishing here begins January 6th and ends on June 15th, does it not?—A. Yes.

Q. Have you any idea how that date came to be fixed at January 6th, instead of January 1st?—A. It beats me, I do not know why it was.

Q. What is the practice with the fishermen here, do they own their own boats and gear?—A. They own their own boats and gear.

Q. What type of boat do they use, do you use mostly gasoline boats now?—A. Mostly gasoline boats.

Q. What is the value of a lobster boat?—A. You mean gasoline engine and all?

Q. Yes, I suppose they almost all use them?—A. \$150, some more, some less.

Q. What number of traps do the fishermen fish?—A. Sixty on the average.

Q. Trawls or single lines?—A. All single lines.

Q. How many men work to a boat?—A. Some two men, some one; some work singly and more with two men.

Q. How do you find the fishing when you begin?—A. It is pretty poor.

Q. In January?—A. Yes, oh, well it is better then than it is later.

Q. What is the condition of the fishery on this coast compared with what it was when you began twenty years ago?—A. It is not nearly so good.

Q. To what extent has it diminished?—A. I am quite sure it is not one-half.

Q. What is the cause of the decrease in the fishery, to what do you attribute it; there must have been some reason for it?—A. I believe it is just on account of the little ones being caught, there is no doubt about it.

Q. Because of catching small lobsters for canning purposes?—A. I believe so.

Q. What depth of water do you fish in when you begin on January 6?—A. From eight to twelve fathoms.

Q. Is that right in the bay here?—A. No, that would be right around the ledges, all around here.

Q. What number of boats are there altogether from Lepreau fishing lobsters?—A. There will be as many, I think, as ten boats fishing.

Q. Are there not more than that?—A. I do not think there are more than that.

Q. Not from Lepreau?—A. Not any more I think from Lepreau, there might be one more or less, but that is about it.

Q. Do you fish steadily all through the winter?—A. Yes, right through the winter.

Q. When do you have your best fishing?—A. When you first set out.

Q. Of the total quantity of lobsters you catch, what proportion are market fish, what do you market now, everything over nine inches?—A. Yes, well ten and a half is the shipping lobster.

Q. And you are not supposed to catch any below nine inches?—A. To catch anything short of nine inches.

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Q. And you do not ship between nine and ten and a half inches now that the Boston market is open to them?—A. Oh, yes, we have shipped what we call little ones.

Q. That is the lobsters between nine and ten and a half?—A. Yes.

Q. How do you ship, by what route?—A. Well, most of the lobsters caught here are sold to the smacks, but a few are sent by rail.

Q. Where are the smacks from?—A. From Eastport.

Q. They come over here and buy the lobsters direct from you?—A. Yes.

Q. What proportion of your total catch will be fit for market, over nine inches?—A. That will be the large ones and the mediums.

Q. Yes, what proportion are sold to the canner?—A. I think there will be two-thirds sold to the canner.

Q. What canneries are operating here? We had one canner I think before the committee in Ottawa, Mr. Connors?—A. That is the man.

Q. You have only one cannery?—A. There is only one that I know of.

Q. Only one license is issued here?—A. Yes.

Q. And he buys all the small lobsters?—A. Well, there are some shipped away, of course.

Q. What I mean by small lobsters are those under nine inches, you do not ship them?—A. Oh, no.

Q. Has there been any attempt to enforce the regulations here?—A. That is to throw away the small lobsters?

Q. Yes?—A. No, I do not believe it has been done, there was some talk about it, but I do not think it was carried out; well, yes, there was a time for about two years that they did enforce it, and I know there was a great improvement in that time.

Q. Is there any station of the Fishermen's Union here?—A. No, there is no lobster fisherman's union here, but there is a weir fishermen's union.

Q. Do you fish lobsters on the same ground all through the season?—A. Well, about the same ground, we keep shifting off and on.

Q. As the season gets near the close, as you approach the middle of June do you move into shoal water?—A. Yes, we do.

Q. Have you ever remarked whether at that time you get a larger proportion of small fish than you do when fishing in deep water?—A. Yes, I think you do get a few more.

Q. As to the berried lobster, what proportion of your total catch bear eggs?—A. I do not think there will be more than one lobster in a hundred, about 1 per cent. In my fishing last year I have not seen more than that, they might run more or they might run less, that is all I could say about it.

Q. What is done with those lobsters?—A. I know what I do, I put them overboard as soon as I can, but I have heard that there are men who sell them to the American boats, and I am afraid that is too true. It is an awful mistake for men to do that.

Q. No wonder your fish are becoming scarce if that is the case?—A. Yes, there is no doubt about that, it is an awful thing for any man to do.

Q. What will market lobsters bring you here?—A. Do you mean the year round?

Q. Yes, give it to us at the various seasons if you can; the highest price is in January and February, is it not?—A. Yes, about 30 cents a piece is the most we ever got here.

Q. That is for the 10½ inch?—A. Yes, for the market lobsters.

Q. And what are those between 9 and 10½ inches worth?—A. Those are worth 4 cents.

Q. What do you get for those you sell to the canner?—A. Well, that will be about the way they go, about 4 cents.

Q. Are you supposed then to sell him all under the 10½ inches?—A. Oh yes, because the fishermen would not like to sell anything that would be 10½ inches for 4 cents, so it will be sure to be under 10½ that they sell for 4 cents.

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Q. How does that compare with what you used to get, has it ever been more than that?—A. No.

Q. Then it is at its best now?—A. Yes, it is the highest we have got.

Q. Did the change in the size limit in Massachusetts affect the price of the fish here; did the big fish drop in price on account of that change?—A. Sometimes we think it did make a difference, but whether it did or not I do not know.

Q. Now as to your arrangement with the canner, how has it worked out, is there any competition in the matter of price, or does the canner set his price and are you obliged to take it?—A. Well, he sets the price and we are obliged to take it; we would not be getting even 4 cents for the little ones only there have been a few buying for other smacks, or really they would not pay that; I think all they have been paying is 3 cents, they set the price.

Q. How do you deliver to the cannery, do you deliver the lobsters yourself or does the canner send a smack for them?—A. He sends a smack for them.

Q. And that is the only cannery buying lobsters?—A. I am not quite sure about that, there used to be a cannery at Campobello, but I am not sure whether they are operating now or not.

Q. There are four canning licenses issued in Charlotte county?—A. Oh well, there may be more canneries then, and I hope there are.

Q. Do you know anything about the regulations in the State of Maine?—A. No, I am not posted on that.

Q. Now as to the regulation for the future government of the fishery, what is your opinion, what would be best for this locality with a view first of all to protect the lobster fishery and second with a view to the greatest profit to the fishermen?—A. About as to the time of setting out the traps, do you mean?

Q. As to the regulations, what would you say would be the most suitable regulation for this locality, the first object we have in view is to protect the fishery and the next is the betterment of the fishermen?—A. Just so.

Q. There is no doubt that on that part of the coast around Yarmouth and Digby and that way, the largest revenue is derived from the fresh market sales, so that with them, canning is quite a secondary matter?—A. Yes.

Q. And they are quite prepared to see the canneries closed up, and there is no doubt that if the 10½ inch limit were enforced everywhere and there was no canning of small lobsters the fishery would improve rapidly?—A. Yes, there is no question about that.

Q. What is your idea as to the regulations that should be enforced for the county of Charlotte, speaking as a fisherman?—A. Well, I do not know.

Q. The present regulations are that you fish from January 6 to June 15 and that you have a 9 inch limit. Have these matters been discussed by the fishermen?—A. Yes, of course there has been a lot of talk down here about it, but I have not thought much lately about it.

Q. A lot of recommendations have been made to the department, one is that the fishery should be shut down entirely for a term of years, in order to let it recuperate, there is no doubt as far as the fishery is concerned that would be the easiest and the readiest way, but in the meantime it would be hard on the fishermen, would it not?—A. Yes, there is no doubt it would be hard on the fishermen.

Q. What is the ordinary return to an active fisherman for one season from the sale to the canner and to the market?—A. I think that a good active fisherman, fishing the season round, would probably make about \$200.

Q. Would that be his gross returns?—A. I think that will be his gross return now the way the lobsters are.

Q. In some places they run up to \$1,000.—A. Yes, I know that, but the fish around here now are pretty small.

Q. How are these people who are fishing lobsters around here engaged during the rest of the year, do they go to any other fishery after the lobster fishing is finished?—

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A. They do lobster fishing, and they do other work, but not much other fishing, some of them do a little trawling but not much.

Q. Has the practice of stripping the female lobsters been followed here?—A. I could not say about that, I am not sure, but I have no doubt that it has been done by some.

Q. Now, we would like to get your ideas, as I say, the first proposition made to the department is to close down the fishing altogether, and the Lobster Commission of 1898 recommended that the whole coast be closed down by sections, taking one section at a time, do you think that would be much of an improvement on the first proposition?—A. No.

Q. Then some people have said do away with the size limit altogether, shorten the season somewhat, and provide for the escape of the small lobster by insisting on a standard trap with a certain space between the slats?—A. Quite so.

Q. Others again, most of the people below here, are in favour of a 10-inch limit, some say 10½ and others 9 inches, but I think myself the fishermen on the Atlantic coast and around the Bay of Fundy here are in favour of a 10 inch limit with a strict enforcement of the law.—A. Yes, I think a 10 inch limit would be all right, and throw away all the rest.

Q. Whatever change is made in the law, there would be no use in making any suggestion or any change unless the regulations were strictly carried out?—A. Oh yes, they want to be carried out.

Q. And at present no attempt is made to carry out the regulations?—A. Yes that is true.

Q. What style of trap do you use here?—A. The three-headed trap.

Q. That is a sort of parlour trap?—A. Yes, a parlour trap.

Q. Do most of the fishermen make their own traps?—A. Yes, most of them do.

Q. What distance do they allow between the slats?—A. They are pretty tight, so that they will be sure to keep everything that comes in anyway.

Q. Down to how small will they really take them, four or five inches?—A. That is the canners you mean?

Q. Well, the fishermen, they have to take them in the first place?—A. The fishermen will sell anything they can get.

Q. What will stay in a trap?—A. Nothing will stay in the trap short of a 7-inch lobster the way they make the traps.

Q. You think not?—A. I think not.

Q. Some fishermen tell us it will make no difference what the width is between the slats because the lobsters will not go out, and the others say that if we have a 10½ inch limit and insist on the slats being 1½ inches apart, as they used to be, that it will let the small lobsters out. When you first made the trap there was a much larger space than there is now, and the small lobsters used to get out of the trap?—A. Yes, I believe they will go out.

Q. You had the International Commissioners around here recently I believe?—A. Well, I heard they were at Mace's Bay, and then again I kind of heard that they were not there, so I am not sure of it.

Q. How would the same regulations as they have in the State of Maine, a 10½ inch limit and fish all the year round, work here?—A. I believe it would work all right; of course just now I know that the way the lobsters are there would not be much for a man to fish all the year round, but after they once got started it would give them a chance.

Q. Is there anything else you think of that I have not touched on?—A. Of course if they stop us taking the little ones I suppose they will lengthen the season out so that a fellow can start in earlier than he does now.

Q. You say yourself that your opinion is that the decrease in the fishery has been caused by the capture of the small lobsters?—A. Yes, I do think so.

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Q. And you say that these small lobsters are only used by the canners?—A. Yes, principally, a few go into the market.

Q. That is a few over 9 inches?—A. Yes, a good many over 9 inches go into the market.

Q. But none under 9 inches?—A. No, you could not do that you know; of course the canners do take them and will take them.

Q. And when the market is low you sell some 9 inch to the canner, and he also gets some of the large ones which are mutilated.—A. Quite so.

Q. But it would not hurt the fishery or the fisherman if the canning were stopped altogether for a year or two?—A. No, I think not.

Q. And it would be very much in the interests of the fishermen to do so?—A. Yes, I think so.

Witness discharged.

FRED ELLIS, fisherman, Mace's Bay, called and sworn:—

By the Commissioner :

Q. How long have you been engaged in lobster fishing?—A. Twenty years.

Q. How is the fishery to-day compared with what it was when you began fishing?—A. It is about one-tenth, I should say, as good, not any more than that.

Q. It has fallen away as much as that, has it?—A. Yes, without a doubt.

Q. To what do you attribute that decrease?—A. Well, to different causes, the taking away of our spawn lobsters from this place into the United States is one cause, and, well, of course, the catching up of the little lobsters is another.

Q. The destruction of the small lobsters and the shipping of the spawn lobsters to the United States are the two great causes?—A. Yes.

Q. Has that decrease been gradual, has it gone on all the time, or is it much worse lately?—A. It is going on gradually.

Q. Have these conditions, the destruction of the small lobsters and the shipping of the berried lobsters to the United States, been going on all the time?—A. Well, for this last ten years I should say they have, and it might have been for ten more years. At the beginning of my lobster fishing we caught and sold them by the hundredweight and we only had 80 cents to a dollar for a hundredweight.

Q. You did not send any to the market then at all?—A. No.

Q. Were there any canneries here then?—A. Only two.

Q. You begin to fish here on the 6th January?—A. Yes.

Q. And your season ends on the 15th June?—A. Yes.

Q. Beginning on the 6th of January, how is the winter here, are you able to fish all the winter?—A. It is very stormy.

Q. Do you meet with much loss of gear?—A. I should say somewhere about three-quarters, between a half and three-quarters.

Q. Is there that much loss of gear every winter?—A. Yes.

Q. What is the best period of your fishing?—A. When we start in, whenever that is.

Q. On the 6th of January or as soon after as you can start?—A. Yes.

Q. Is it the practice to begin a little before?—A. No.

Q. There is not much fishing done before the season?—A. Well, a fellow might want a feed.

Q. Is there any fishing after the season?—A. No, none after the season.

Q. Are most of those who fish lobsters here fishermen or do they go to some other kind of fishing?—A. They mostly all do different kinds of fishing.

Q. So that when they knock off lobstering they go to some other fishing?—A. Yes.

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Q. But the best fishing is at the beginning of the season?—A. Yes, but if the fishing began on the first of October it would be just as good, it is best at the beginning whenever that is.

Q. Does the fishing improve in the spring?—A. No.

Q. Not in April and May?—A. Generally the fish are more scarce; we fish more gear, but we do not get any more fish. Two men fish together and in the winter we will fish fifty traps, and then in the summer season after April, we will put out 100.

Q. You are all using motor boats now?—A. Pretty nearly all.

Q. What proportion of the fish you catch are sent to the market and what proportion are sold to the canner?—A. I should say about one-tenth probably in number.

Q. One-tenth are shipped to market?—A. One-tenth are shipped to market and the rest go to the canner. Where you get ten or twelve market lobsters you get 130 to 150 small ones.

Q. And the canner takes everything you send to him without regard to size?—A. Yes.

Q. What size will the canner take them down to, 4 inches?—A. No. 8 inches, in fact the canner will take anything you bring him.

Q. In some places we have found that it takes from 12 to 14 to fill a one pound can, that is a pretty small lobster?—A. It is a small lobster.

Q. Are you shipping as many to market now as when you first began, or are your fish dropping off? Are you getting a fair proportion of large ones?—A. I might get about half as many large ones.

Q. And when you first began fishing you sold everything to the canner?—A. Everything.

Q. When did you first begin to ship to the market?—A. I think it was about 18 or 20 years ago.

Q. How did you get to the market in those days?—A. The buyers came right here from the United States and bought them as they do now.

Q. They came here by smacks?—A. Yes.

Q. And that is the way you sold most of your lobsters? The smacks came from where?—A. The United States.

Q. But from what port?—A. From Eastport.

Q. How do they ship them?—A. Well, of late years they generally ship them by express, in barrels, by train. I have bought and carried a great many of those lobsters myself.

Q. Were you in charge of a smack?—A. Yes, for seven years.

Q. And you delivered them to Eastport?—A. Yes, and I delivered the small ones to the factories on the Canadian side.

Q. What canneries have you here, there are four licenses in Charlotte county?—A. Yes, two of them do not amount to very much, the biggest factory we have is at Campobello.

Q. Who runs that?—A. Calder. the fishery overseer used to run it, but it was owned by an American canner, and Mr. Connor has a factory.

Q. Where is his factory?—A. At Black's harbour.

Q. Do those cannerys operate all the winter, do they begin when the season opens and operate all winter?—A. No, they do not commence until I should say the first of April would be about the date.

Q. What is done with the small lobsters in January, February and March?—A. Some go into the United States, and some ship their catch themselves.

Q. Do they ship anything over nine inches?—A. Yes, anything over nine inches.

Q. But below nine inches what becomes of those lobsters?—A. They are thrown away.

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Q. Do you use the same kind of trap now that you used when you first began fishing?—A. Well, about the same, it is something about the same, although I should say that the trap used nowadays is greatly ahead of the one that we used at first.

Q. In what way, does it catch more fish?—A. It catches more fish.

Q. And it holds the fish better after they are caught?—A. Yes, that is right.

Q. The fishermen all build their own traps?—A. Yes.

Q. Do you put the slats any closer together than you did when you were first making traps?—A. Yes, I should say we do.

Q. What is the object of that?—A. To catch the small lobsters.

Q. Has there ever been any attempt to enforce the regulations within your recollection? Did any one ever warn you not to catch the small lobsters, or threaten to fine you or anything of that kind?—A. Yes, I have been warned by the old captain of this craft, the Curlew, Captain Pratt.

Q. But not by the shore officers?—A. Well no, because probably they thought we did not violate the law, and I have never been told by them.

Q. We have heard many fishermen say they did not know there was any law to violate?—A. Well, I know there is a law.

Q. Will the American smacks buy the small lobsters too?—A. No, not under 9 inches.

Q. Will they buy the berried lobsters with eggs on them?—A. Oh my, yes.

Q. Do they give a larger price for them?—A. I should think so, they give about double the price they do for any large lobster.

Q. They want the berried lobsters?—A. Yes, for the spawning lobsters they give about 25 cents a-piece.

Q. What do they want them particularly for, what do they do with them?—A. They take them to the fishery overseer in Eastport and he has a crate built for himself and they put them in there, and there is another man comes around from the hatchery and takes them farther west, I could not say where the hatchery is.

Q. Is it a hatchery or a pound?—A. I heard it was a hatchery, I am not perfectly sure, but I think it is a hatchery.

Q. And they buy them for the sake of the eggs?—A. Yes.

Q. And they give more for them than ordinary lobsters?—A. Yes.

Q. Do you not think it unwise for our fishermen to sell them; are they not cutting their own throats in doing so?—A. Yes, and they are cutting off their own bread, which is worse.

Q. Now, as to the decrease in the fishery, there is no doubt that is caused by the destruction of the small lobster and the shipment of the berried one, what is your idea as to the best regulations to adopt and enforce in this particular locality for the preservation of the industry?—A. I will tell you my opinion, the fishermen should not be permitted to catch any lobsters under 10½ inches, all lobsters shorter than that should be thrown away.

Q. They should be put back in the water?—A. Yes, put them back in the water, and the spawners also ought to be protected.

Q. And what would you say as to the fishing season?—A. Well, when we appointed our delegates we talked it over, we discussed everything and we came to the conclusion from the 1st of October or the middle of September to the middle of June would be about right, and the reason they want that is this, that in October, November and December there is fine weather, and they can catch more lobsters out of \$10 worth of gear, that is ropes and traps, than we would get out of \$50 worth of gear in the winter time and in stormy weather.

Q. Do you know anything about fishing in Maine, have you been on that shore?—A. Yes.

Q. What are the regulations there to-day?—A. I do not know what the regulations are this year, but other years they have had a 10½ inch limit and fished all the year

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round, throwing away all the small lobsters, and if I am not mistaken the government officials there take all the spawn lobsters from the fisherman, and pay him for them, and take the fish away to the hatchery.

Q. Of course they used to can there some years ago?—A. Yes.

Q. A number of the canners we have operating to-day in Canada came from the State of Maine?—A. Yes.

Q. And they came here and established themselves after exhausting the fishery there, as ours is being exhausted to-day, by the canning of small lobsters?—A. Yes.

Q. Do you know whether the fishery is improving in the State of Maine?—A. Oh yes, it has improved greatly of late.

Q. They have a practice there of holding the fish in pounds, have they not?—A. Yes, they come here and buy our fish when they are low in price and put them in pounds in the State of Maine and hold them there until the market rises. Of course they also buy on their own side for the same purpose.

Q. That is the object of the pound, to keep the lobsters in good condition until the market is favourable?—A. Yes, I ran a smack one winter and we all came to the conclusion that it would be to our interest to throw away the small lobsters and buy only the 10½ inches, so consequently we threw them all away that winter and that spring; and do you know that by throwing away those small lobsters that one winter it increased our fishery I would say over one half.

Q. Well, you know the lobster grows two inches in a year?—A. Yes.

Q. So that it does not need many years for a six-inch lobster to become 10 inches long?—A. Yes, I am proud to meet you to-day because I know that you see the taking away of the small lobsters and the canning of them is ruining our fishery. All the fishermen in our place would like to throw away the small lobsters, and they do not want to supply them to the canneries; they would like to see an end put to it.

witness discharged.

JOHN M. MAHONEY, fisherman, Mace's Bay, called and sworn:—

By the Commissioner:

Q. Having heard all that the previous witness has said do you approve of it or have you anything to add to it?—A. I approve of everything he said, and there is nothing further I can add to it.

Witness discharged.

JOHN MAHONEY, fisherman, Mace's Bay, delegate from Fishermen's meeting, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster fishery?—A. It must be 20 years, all of that, ever since I was able to fish.

Q. You fished in all probability before you were 26, most fishermen have?—A. Yes.

Q. What is the condition of the lobster fishery to-day as compared with when you first started?—A. I think they are much scarcer.

Q. Would you venture to say to what extent they are scarcer?—A. I could not say exactly.

Q. Are there many more boats fishing than there used to be in those days?—A. Yes, more gear and more boats.

Q. The fishermen fish more gear, do they?—A. Oh sure.

Q. Are all the boats and gear owned by the fishermen?—A. Yes.

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Q. What number of traps do you generally fish?—A. Sometimes 55 or 60, and some fish as high as 70 per boat.

Q. The fishery begins with you on the 6th of January?—A. Yes.

Q. Do you generally begin fishing sharp at the opening of the season?—A. Yes, we generally begin making preparations.

Q. You fish right straight along uninterruptedly until the close of the season?—A. Most generally.

Q. Are you able to fish up to the end of the winter?—A. Not all the time.

Q. Do you take your gear in?—A. Not after it is once set out.

Q. Do you lose many traps?—A. Yes, a good many, the ice troubles us cutting off our buoys.

Q. What number of fishermen are engaged in the lobster fishery from this part of the Bay, from Lepreau, and all around this neighbourhood?—A. Honestly speaking I should think there would be 25 or 30 more or less.

Q. These boats are generally manned by two men, are they?—A. Generally.

Q. And they fish from 50 to 75 traps?—A. Yes, sometimes in the spring season two men will fish 100, but in the winter season we cannot fish over 50 or 60.

Q. Do you fish in trawls or single lines?—A. All single lines.

Q. What depth of water do you fish in?—A. 15 to 25 fathoms.

Q. Does that take you far off shore?—A. It takes us quite a way off shore, about 3 miles off.

Q. You are not troubled by any fishing by United States vessels outside the 3 mile limit here, are you, I mean for lobsters?—A. I do not know of any.

Q. What proportion of your catch is shipped fresh to the market and what is sold to the canner?—A. I can hardly tell you that, to tell you the truth, but I think about 85 per cent goes to the canner; if you get 60 lobsters you might get 20 shippers out of the 60.

Q. You only call 'shippers' those over 10½ inches?—A. Yes.

Q. Do you not ship those from 9 to 10½ inches?—A. No, those generally go for canning purposes.

Q. In a good many places since they have reduced the size limit they have been shipping the 9 inch lobster to the Boston market?—A. Yes, and they go to St. John too.

Q. How many canners are operating in this neighbourhood?—A. There are none here.

Q. Where is the nearest?—A. Connors at Black's Harbour is the nearest.

Q. I see there are four canneries licensed in this county?—A. There are lots of canners here, but I do not know of any who can lobsters outside of Connors.

Q. Is there any station of the Fishermen's Union here? Or you have not the same union they have in Nova Scotia?—A. No.

Q. But you have a union of the weir fishermen, I think?—A. Yes, that is all the union I know of.

Q. What is the best period of your fishery, when do you consider it the best part of your lobster fishing season?—A. I can hardly tell you, but I think that about the first fortnight after you put out in January it is generally good fishing.

Q. Are the canneries open then?—A. I do not think so.

Q. So that all you catch at that season of the year are shipped fresh to market?—A. Yes.

Q. You do not save the small lobsters?—A. Yes, certainly we save them and sell them in St. John and Montreal.

Q. What do you mean by that?—A. Anything between 9 and 10½.

Q. What we call small lobsters is anything under 9 inches?—A. Well, we never keep anything under 9, the small with us is between 9 and 10½.

Q. What do you do with the lobsters that are under 9 inches?—A. We throw them away.

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Q. Do you always throw them away?—A. Yes, always.

Q. Will the canner not take them?—A. He will take them if we give them to him, the canner will take everything you give him.

Q. In some places they will can everything down to 5 inches?—A. And the fisherman is worse.

Q. Well, the fisherman says: 'If I do not take them my neighbour will, and I might as well have them as let the others take them'. That is the condition at other places, and I suppose it is not different here?—A. The fishermen are a pretty hard crowd to watch, no doubt about that, and I am one myself.

Q. When you first began in the fishery were there canneries here then?—A. No, unless Connors', that is all I know of, and Ned Holmes at Campobello.

Q. Do you ship your own lobsters on your own account to Boston, or do you sell to buyers here?—A. I guess they are sold to the American buyers who come here to buy them.

Q. You are paid for them on delivery along side the smack, are you?—A. Generally.

Q. What are the average prices paid by these smacks for market lobsters?—A. All the way from 15 to 25 cents, and as high as 30 cents.

Q. That will be according to the condition of the market?—A. Yes.

Q. These smacks come here all through the winter, do they?—A. All through the winter.

Q. Where do they come from?—A. From Eastport, I expect.

Q. With respect to the berried lobster, what has been the practice in this locality?—A. I do not know what you mean.

Q. I mean these egg or spawn lobsters, what is the practice here with regard to them?—A. Oh, I know now, we have always thrown them away when we got them in our trap, to my knowledge.

Q. It has been stated that the practice here, is, very largely to sell them to the smacks?—A. Yes, I have heard of that. There is certainly a market for them, no doubt about that, but I must say I never knew any man in this vicinity around here who did that.

Q. Is it to your knowledge that it is done?—A. It is not.

Q. Do you fish all through the season on the same ground?—A. Generally.

Q. Is it the practice to move closer in towards the shore in May and June?—A. Yes, sure.

Q. How close in do you come then?—A. We come in to about 6 or 7 or 8 fathoms of water.

Q. Have you ever noticed whether at that season you get a greater number of small lobsters in your traps?—A. In the spring of the year, certainly, when we are coming in on shore we get more spawn lobsters than we do in the winter.

Q. And will you get a larger proportion of seed lobsters in shore too?—A. No, I do not think so; it is like a harbour here, and the lobsters in the warm season come on the shore and it is reasonable that the lobsters would be more plentiful on shore than they will be off shore where they are scattered broadcast and where you will not have the privilege of being among them all the time.

Q. The fact of the matter is that the female lobster comes into the shoal water near the shore where the higher temperature of the water helps to develop the eggs; that is the experience everywhere, and especially towards the end of the season, in July, where the fishing is carried on later than it is here, the proportion of the seed lobsters caught in shoal water and in the harbours, bays and ponds is greater than it is when fishing outside. That same general condition will prevail here?—A. I suppose I have out in the best ground, near the islands, swept off the trap 75 or 100 small lobsters just hatched out.

Q. Do you find the egg-bearing lobsters bearing eggs all through the season?—A. Yes.

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Q. Do you find them when you begin to fish?—A. Yes, we do.

Q. Have you ever noticed that the eggs get riper as the season advances?—A. I never did.

Q. To what do you attribute the decrease in the fishery; undoubtedly the fishery is falling away, and to what do you attribute that decline?—A. To the taking of so many small lobsters.

Q. Why are those small lobsters taken?—A. I cannot tell you, except that it is that the factory men and most people want them.

Q. They are taken for sale to the cannery, are they not?—A. I think so.

Q. And you attribute the decrease of the fishery to the destruction of the small lobster?—A. I do. It is like this that the cannery have more influence with the present government than we fishermen have, and therefore they have the opportunities for getting all our small lobsters, and the fishermen are all anxious enough to get a dollar as long as the law allows them to take it.

Q. But the law is all right, it says that the small lobsters under 9 inches shall not be taken?—A. Yes, but if they only put the limit as low as 9 inches it will give them a chance to increase.

Q. The fault is that the law has not been enforced?—A. That is where it is.

Q. Has it ever been enforced to your knowledge?—A. Not that I know of.

Q. What style of trap do you fish now?—A. All three kinds, the two headed trap, some with four heads and some with three heads.

Q. Do the fishermen make their own traps?—A. Sure.

Q. Is it the tendency to put the slats closer together than when you first began fishing?—A. Yes, the traps are made shorter as a rule and we put the frames closer together.

Q. Do you put the slats closer together?—A. I know what you mean now, no I do not think they do, some may and some may not.

Q. When the lobster fishery first began the ordinary practice was to use a lath for a guage?—A. Exactly.

Q. And that left a space of $1\frac{1}{2}$ inches between the slats, and the tendency, as shown by my own experience as well as the evidence everywhere is to narrow that space down?—A. Of course that is to hold the small ones.

Q. It must have been for that purpose?—A. Sure.

Q. Do you think if that space were made larger, if we insisted, as part of the law, that the traps be made in a certain way that would allow a larger proportion of the small lobsters to escape?—A. I do.

Q. What price do the cannery pay for the lobsters?—A. 3 cents.

Q. That was the price paid last year, was it not?—A. I think it was about three on the average, but you know as much about it as I do, I have been buying small lobsters the last two or three years.

Q. You have not been fishing?—A. No, not for two or three years.

Q. What do you do with them?—A. I sell them to the St. John market.

Q. Do you sell them alive?—A. Some alive and some boiled.

Q. You are selling them around?—A. Yes.

Q. Is there a considerable market for that sort of thing?—A. I think so, much more than there was some years ago.

Q. Do you think you get better returns than by exporting the lobsters to Boston?—A. I do not know that I do, but I never sent any of them there, so I cannot tell you.

Q. Is it the practice of the fishermen to ship the lobsters themselves or to sell to the smacks?—A. Some ship them themselves.

Q. The practice at Yarmouth, Digby and other places is to consign their lobsters to a commission merchant in Boston, is it not?—A. And they have a better chance than we have, because we have not the facilities which they enjoy. When we ship them we take them to Eastport or to St. John and send them by boat, and sometimes we send them by the shore line to Calais, Maine.

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Q. Can you tell me how long it would take them to reach the market?—A. If I ship to Moncton they will be there about eleven o'clock the next day, and at St. John the same evening at six o'clock.

Q. Can you give us some idea of the discussion that occurred at your meeting?—A. I can.

Q. You are one of the delegates that were appointed at the meeting of the fishermen of this neighbourhood to give evidence before the commission?—A. Yes.

Q. And what was the opinion of the meeting?—A. It was a unanimous vote.

Q. How many fishermen were there, in the first place?—A. About thirty-eight were present.

Q. Would that be a majority of the fishermen?—A. Yes, a good majority.

Q. And what did they do?—A. They had a unanimous vote that the season should open on the 15th of September and close the last day of June, and that we should throw away the small lobsters.

Q. What size limit did they approve of?—A. That we should not catch anything under ten and a half inches.

Q. Did they say anything at all about the canning licenses?—A. No, nothing was said about that at the meeting, it was not brought up at all.

Q. Did the question of the berried lobster come up at the meeting?—A. No, it did not.

Q. There was nothing said about it?—A. No, we did not mention it.

Q. Is there any fishing done here before the opening or after the close of the season?—A. I am not prepared to answer that question.

Q. I do not mean yourself, but what is the practice among the fishermen?—A. I am not prepared to answer any of those questions.

Q. What is done with the fish that are caught out of season?—A. I could not say anything as to that.

Q. Who fixes the price paid for the lobsters?—A. The boatman generally fixes the price when he comes up.

Q. And he acts for the canner?—A. The same man that buys the big ones generally buys the small ones, sometimes Connors' boat comes for the small ones.

Q. What do you get for the small ones?—A. Three cents.

Q. What are the average earnings of a fisherman?—A. From the time the season opens until it closes?

Q. Yes?—A. I do not think any one man realizes nearly \$100 clear.

Q. Are you aware whether the regulations are enforced in the State of Maine?—A. I am not in a position to tell you.

Q. Did your meeting discuss the question of hatcheries or pounds or anything of that kind?—A. They did not discuss it very much, but everybody at the meeting said they thought we should have a hatchery here. We understand that Prince Edward Island and other places have hatcheries, and we know this that there are an awful lot of spawn lobsters here.

Q. Will you see that a copy of the resolution passed at the meeting is sent to us at St. John?—A. Yes, I will, sure.

Q. I think you did say that the best part of your fishing was in the early portion of your season?—A. Yes, that would be the first two weeks in January.

Q. When you begin fishing in January do you think they are coming in from the outside?—A. I think they are going out.

Q. And when do they come in?—A. In the spring.

Q. You think that when you first commence to catch them they are leaving the shore?—A. Yes, I think they are going into the deep water in the cold weather.

Q. Is there any statement you would like to make in addition to what you have already said?—A. I would like to say this that I do not see why it is that they keep the poor fisherman back until the 5th of January to put out his traps when they could

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be fishing with five or six fathom strings during the fall, and in January we have to have 25 or 30 fathom strings? We are differently situated here to other places, with cold northwest winds we cannot get out, and it is important that we take advantage of good weather, even when there is a fine day, unless there is a drift to the eastward to carry the ice off we cannot get out, and when the ice does go out it cuts off one half of our buoys.

Q. How would the same regulation as they have in the State of Maine suit you here, a 10½ inch limit and fish all the year through?—A. Well, I think that to commence on the 15th of September would be better.

Q. If you had the whole season you would begin when you liked?—A. I know we would, but I think we would derive just as much benefit to have the close season from from the 15th of June to the 15th of September, because there are two months you have to allow altogether for spawning and the soft shell, and then you will have a chance to prepare before the time the cold weather would come.

Q. If that is the case how would it do to omit July. August and September and fish nine months?—A. Well, that would be all right, it would be only 15 days difference, but from the first of October it would be all right, I would not object, as far as I am concerned to that.

Q. And a strict enforcement of the 10½ inch limit?—A. Yes, that is sure.

Q. What effect would that have on the canner?—A. I think he would be put out of business, and unless you do put him out of business they will still kill the small lobsters, unless you make every fisherman a guardian.

Q. There is a proposition of that kind, it has been proposed that every lobster fisherman should take out a license, that he should register himself; he would not be charged anything for it, before the lobster fishing begins, and every man would have to agree to respect the law, whatever it may be, and to live closely up to the regulations. The idea of those who make the proposition is that a man having assumed an obligation of that kind would be careful to observe the law himself and would see to it that others who were fishing in his neighbourhood did the same as he did and perhaps if he saw they were violating the law he might lodge an information against them himself; it would also follow as a consequence that any man who was shown to have violated the law would not be allowed to register and get his license another season: how would that work?—A. It is a very good idea, but there is one thing—

Q. Do you think that would have a good effect among the fishermen generally?—A. I think it would be all right. We had a unanimous vote that we should have one man as a lobster guardian in this vicinity provided we got that law we asked for, just for that purpose only. We want a man living right here among us, because the warden lives a long way from here, and he cannot look after the matter, but we do not want to interfere with him in any way.

Witness discharged.

JOSEPH ELLIS, fisherman, Mace's Bay, called and sworn:

By the Commissioner:

Q. How long have you been engaged lobster fishing?—A. I suppose I have been engaged at it about 30 years.

Q. Did you ever fish anywhere else but here?—A. In the Bay of Fundy, that is away up in St. Martin's.

Q. What is the condition of the lobster fishery to-day compared with its condition when you began?—A. I think it is about 90 per cent falling off. In those days we had a large supply of lobsters, and if we had the same gang of lobsters now that we had then there would be no limit to the supply, but now there are ten traps to one that we

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fished then; the bait is better, but we cannot get the lobsters; in those days we had the lobsters and now we haven't got them and that is simply due to the canners, nothing more or less.

Q. It is due to the practice of the canners in receiving the small lobsters?—A. In taking small lobsters, certainly.

Q. If it were not for the small lobsters they would not be able to can?—A. No.

Q. Because there is a better market for the legal lobsters shipped alive?—A. Yes, where we catch one shipper that we receive 25 cents for, we get eight small ones that we get three cents for.

Q. And if those were allowed to grow they would be worth, in a short time, as much as the others?—A. Yes, the lobsters grow mighty fast.

Q. They grow two inches a year. At the end of the first year they are three inches long and after that they grow two inches a year.—A. The idea is simply this, say we have 500 lobsters in a car and there is a lobster that we call a 'doubter,' and if he is a good fellow the buyer will take him and there may be twenty-five lobsters that will just come to the measure, and sometimes he will throw them over into the three cent lot, and you can see what we are losing by that.

Q. The most of the lobsters are sold right here?—A. Yes, right here.

Q. And mostly to American smacks?—A. All American smacks.

Q. Do the American smacks take the very small ones?—A. No, they do not.

Q. The very small ones are sold to your own local smacks that are running for the canneries?—A. Yes.

Q. Can you tell me anything about that matter, it has been reported and we have some evidence as to the truth of the matter too, that the practice of the American smacks coming here is to buy the berried lobsters and to take them over to their hatchery in the State of Maine.—A. That is so, I bought for about five years myself for the American people, and I bought those seed lobsters.

Q. Where were those lobsters delivered?—A. At Eastport, we were never asked to buy them, but the fish warden was there to attend to that business, for the Fishery Commission, and if you had them he would buy them and pay you twenty-five or thirty cents for them, and he would ship them away.

Q. Do you know where he sent them to?—A. To the hatchery, I suppose.

Q. Or to the pound?—A. Whatever it may be, hatchery or pound.

Q. I do not know that they have hatcheries in Maine, they have pounds?—A. I think they have them there, in some part or other.

Q. Is it the case, to your knowledge that the traps are being made with a narrower space between the slats with a view to holding the small lobsters?—A. Yes.

Q. Do you think it would be possible to so regulate the space between the slats that a fair proportion of the small lobsters would be enabled to escape?—A. I do not think so.

Q. What is your idea about that?—A. I think if you made the law for a ten and a half inch limit and put a strict watch on it that is all that is necessary.

Q. If the lobsters are sold directly to smacks off shore by the fishermen it would be pretty hard to follow them?—A. It would be pretty hard to follow, but the small lobster business is different, the smacks take nothing but ten and a half.

Q. Yes, but how could we enforce that, they do not bring them to shore?—A. The American smacks do not buy them under ten and a half inches.

Q. Do they not take them here down to nine inches?—A. Yes, anything at all that has a shell on it they buy, so we know from experience here, that if the small lobsters from ten and a half were cut out altogether, making a ten and a half inch law, we would have a living right here without doing anything else. As to leaving the traps so as to allow these small lobsters to escape, the fishery guardians cannot watch us now and they would not be able to look after that.

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Q. Do you not think where the traps are built on the shore it would be possible to regulate the size; I am not alluding to you here, but I want to know from your experience as a fisherman, take for instance in the Straits of Northumberland, where we must have canneries and we want to regulate the destruction of the small lobster, it is a fact to my certain knowledge, that with the original old double-ender trap made the whole length of the lath it was always the practice to allow one and a half inch space, the width of a lath, between the slats, but that has been narrowed down until now there is barely half an inch allowed, and that can only have been done for one purpose, to hold the small lobster?—A. Yes, that is right.

Q. Can we not by insisting upon having a certain space between the laths allow a certain proportion of the small lobsters to escape?—A. Certainly it would.

Q. Of course it may be said that the distance between the slats might be measured when the traps were ashore and the fishermen would carry laths out and alter the traps when taking them out to set them, but we would have to look after that somehow?—A. Yes.

Q. What do you think of that scheme of asking the fishermen to register and take out a form of license?—A. Well, I would not object at all, but you know that the world at large, all over the universe there is a class of men that do not care what they are destroying so long as it does not come out of their own pocket, and there is a class of men, no matter what the law would be, that you cannot bind by any agreement or oath they may take.

Q. What price do you receive for the market lobsters, over ten and a half inches, are they the same price all through the season?—A. The price varies according to the supply on the market.

Q. But it is fixed, there is a price for all over ten and a half and you will not get any more than that?—A. Not at all.

Q. And that price varies according as the market is good or bad?—A. Just so.

Q. Do you think that the most of those lobsters taken here by the smacks are taken right to the market direct or to the pound?—A. They are taken right to the market.

Q. With regard to the berried lobster, do you think a larger proportion of those fish are caught later in the season in shoal water than you would get when fishing off shore?—A. Certainly, yes.

Q. How do you think it will be possible to induce the fishermen to return the berried lobsters to the water; of course any regulation that may be framed will be sure to insist that it is done, but how are we going to get it done?—A. I do not know I am sure about that.

Q. The fishermen ought to understand that they cannot have good fishing if they destroy the mother fish?—A. It is too bad that they do it at all, but the way that they do it now many fishermen catch the lobsters and there is a boat provided that goes round and buys the lobsters and they are taken to the hatcheries; it is quite a scheme, and I think if it were tried here it would be a good thing.

Q. Of course where we have a hatchery they do that now?—A. I bought lobsters for about six years, and I do not think there ever was a man asked me to buy a spawn lobster.

Q. Is there anything else you would like to have explained?—A. No, I do not think that there is.

Q. It is your opinion, and you do not mind saying so, that in this district canning should be put an end to?—A. Certainly. In a way of speaking it has robbed us of a living, that is right here with us. We know it, because we have proved it; one year, I forget that year, we did not have over a month of close season, and there was no market for the small lobster, so they were put back in the water, and when the season opened again it trebled we just got a boat load of lobsters, and there were more than 140 shippers. But the way it is now a man could take from the first of September—I would like to go back a little to the meeting, I suggested there that

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January, February and March is practically a close season to us on our coast, the water is so shoal and the ice and weather is so rough, that the lobsters are driven off shore, and you put out 30 or 40 traps and you are only able to get very few of them back again in the spring, and those traps cost us some seventy-five cents each. In the winter season no man can make anything at all. We are all deeply interested in lobster fishing, it is the only industry we have here, it is our living, and at the present day there is not a thing in it, because anything these few canners down here ask for they get. We have asked for it a long time and we want this law and we understand perfectly well what we are asking for. As it is now here are men who have to sit in idleness with their families around them who could go out and earn seventy-five dollars each which would be a help to him and his family, but the law says 'Don't you go out and catch lobsters.' As to the open season all the year round I would not say a word about it but there is no use making a law here about a close season unless you have a fishery warden right here among us and then you have to swear every man.

Witness discharged.

Commission adjourned.

ST. ANDREWS, September 21, 1909.

E. L. CONLEY, lobster buyer, Leonardville, Deer Island, called and sworn:—

By the Commissioner :

Q. Has there been any meeting of fishermen at all, or any attempt to discuss this question of the lobster industry?—A. Well, no, no special meeting but from time to time when I see the fishermen I put the question to them; I am around among the fishermen all the time, I buy lobsters.

Q. How long have you been connected with the lobster fishing industry?—A. Ever since I was fourteen or fifteen years of age, I am now forty-one.

Q. That is for some twenty odd years?—A. Yes.

Q. What is the condition of the fishery to-day compared with what it was when you began?—A. There are not as many fish.

Q. That is to say they are short in quantity now?—A. And higher in price; a man can make more money to-day catching lobsters than he could then, because he gets a much higher price.

Q. But the lobsters themselves are scarcer?—A. Yes.

Q. In what way are they scarcer, do you not get as many large lobsters?—A. Not as many large ones nor as many small ones.

Q. What proportion of the lobsters you do catch will be market lobsters; we have lobsters that we call markets, from ten and a half inches up, and then we have what we call mediums from nine to ten and a half inches, and then there are the small lobsters under nine inches?—A. What we call the large lobsters, that is the large ones, vary according to the ground you catch them on. Around Deer Island they are mostly all large lobsters, there are very few small ones, in one hundred barrels I would not get over ten barrels of small ones.

Q. What do mean by small lobsters?—A. From nine to ten and a half inches, that is what I mean, we do not save anything else and there are lots of men there will not save them at all, many of them will not catch anything under ten and a half inches, they throw all the others overboard.

Q. When does the fishery open with you, on the 6th of January?—A. The 6th of January.

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Q. Do you begin fishing just as soon as the season opens?—A. Yes.

Q. In what depth of water do you fish then?—A. Anywhere from 5 fathoms up, we generally put out in shoal water first, and along later we fish in deeper water. We usually have fifteen fathom lines first and fish anywhere from five to ten fathoms of water.

Q. What number of traps do you fish?—A. Anywhere from thirty to sixty.

Q. That is for a single fisherman?—A. Yes.

Q. When a boat is manned by two men will they not fish more traps?—A. A few more.

Q. How does the number compare with the number when you used to fish, are you fishing more gear now than you did then?—A. No, I do not think we are. We used in days gone by to fish with trawls, and now that is not done at all, we all fish on single lines.

Q. What trap do you fish?—A. We have in some places the two-headed trap and in some places the three-headed patent trap.

Q. Is there any tendency on the part of the fishermen here to narrow down the distance between the slats?—A. No, they make them just the width of the lath now, they take the lath and put it between as a gauge.

Q. Then you begin fishing on the 6th of January, and do you fish right straight through the winter?—A. There is not much to fish after February comes in, there isn't much to catch, the lobsters I suppose crawl into the mud or somewhere, there is not much fishing after the last of January.

Q. What do you do, do you leave the gear in the water?—A. Some fish a few, four or five traps and probably get one or two a week, there are not many fishing and along in March there is hardly anybody fishing at all; they do not begin to start in again until about the 10th of May, with the first tide in May they begin to come in.

Q. How is the fishing up to the 15th of June?—A. Pretty good, that is the best we have.

Q. On the 15th of June you knock off?—A. Yes.

Q. Is there any fishing done after the close of the season, or before the season opens?—A. Yes, there is.

Q. As to the fish, what do you do with the large market fish?—A. They all go to Boston.

Q. Do you ship for yourself?—A. Well, most of them are sold here to local buyers, to the shippers and dealers.

Q. Do the smacks from Eastport come along here?—A. No, the gasoline boats come around and pick them up.

Q. They collect the lobsters from the fishermen?—A. Yes.

Q. They collect them on the spot?—A. Yes.

Q. And do they pay for them as they get them?—A. Yes.

Q. What is the average price of the market lobster?—A. Anywhere from 15 to 45 cents.

Q. Has the average been about the same for two or three summers?—A. For two or three years. When I first fished we got anywhere from three to six cents which was the highest we could get for them, that was in the spring of the year, but the last three or four years they have been up.

Q. What do you do with what you call the small lobsters?—A. They go to Boston, the whole of what we get on the Island goes to Boston, but on the mainland what they catch, the main of them goes to the cannery.

Q. When you do catch small lobsters what do you do with them; I mean very small ones under nine inches?—A. We throw them overboard.

Q. What is the practice with regard to the female lobster with eggs on it?—A. I could not just exactly tell you, all I know is that what I get I throw overboard, but whether the others scrape the berries off them or not, I could not say.

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Q. Is it true that it is the practice of the fishermen in this neighbourhood to sell the berried lobsters to the gasoline boats?—A. I have heard that they do up the shore, but I cannot swear to that, but as far as our fishermen are concerned I do not think any egg-bearing lobsters go from our island.

Q. To what do you attribute the decrease in the lobster fishery?—A. In my opinion it is due to fishing the small lobsters. From what I can hear in Maine they have stopped catching the small lobsters and they have a hatchery down there, they save all the berried lobsters and put them in the hatchery, and now their fishing is increasing.

Q. What do you mean by hatchery, is it a hatchery or a pound they have?—A. They have a real hatchery, I understand.

Q. Where is it situated?—A. I think it is in Booth Bay. I know they come to Eastport and pick them up there in their little boats, and there are no lobsters except the Canadian lobsters going to Eastport. They come to Eastport and pick up those seed lobsters, and they told me that they put several millions of young lobsters that they hatched in these waters. They are supposed to bring back the fry of those seed lobsters that they take from Eastport and put them in the water around there.

Q. You have no cannery on Deer island?—A. No.

Q. Where is the nearest cannery to you?—A. Welshpool.

Q. Who is that owned by?—A. I think it is owned by Merriman.

Q. I do not know, I think there are only four lobster packing licenses issued at all in Charlotte county. A. Well, Merriman is at the head of the one I refer to, at Welshpool; it is an American concern who bought the island. Holmes used to have it but he gave it up, that is on Campobello island at Welshpool. I never sold any to him this year, I shipped all mine to Boston.

Q. All the fishermen here own their own boats and gear, do they, they are not supplied by the canners?—A. No, the fishermen own their own.

Q. You say your opinion is that the decline of the fishery in New Brunswick is caused by the destruction of the small lobster?—A. That is my opinion.

Q. What is your solution of the difficulty; as a fisherman what would you recommend? What is the best regulation to be enforced in this neighbourhood with a view to protecting the lobsters?—A. Well, I think that what is good for one country is good for another, and if the lobster law as they have it in Maine is good for them I do not see why it is not good enough for us.

Q. So you would recommend a 10½ inch limit?—A. Yes.

Q. And have it strictly enforced?—A. Yes.

Q. And the protection of the berried lobster either by a hatchery, a pound, or anything of that kind?—A. Yes.

Q. And what open season of fishing would you have?—A. Well, they want a uniform law with the State of Maine, whatever that will be; our fishermen would be satisfied with the uniform law, that is what they want. If they have the year around in Maine give our men the same, and if it is 6 or 8 months in Maine, whatever it is over there let us have the same.

Q. Your market is Eastport?—A. Our market is Eastport, of course they all go to Boston, I send mine direct to Boston, I ship my own lobsters.

Q. By what route do you ship?—A. By express in the winter time and by boat in the summer time.

Q. I think you said a while ago that they fish in close season; do they catch much in the close season?—A. Certainly they do, and it is impossible to stop it because if they dare not catch them in the day time they will catch them in the night; it does not give us fellows a chance against those fellows over there, on the other side of the line, those fellows get the benefit, I cannot compete with them at all, it does not give us fellows an even chance with the other fellows as dealers, whereas if we had the same law as they have we would tie them up in a while.

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Q. You have lately had among you the International Fishery Commissioners, Mr. Jordan and Professor Prince, did you give evidence before them?—A. No, I did not meet them.

Q. I do not know, but I think it is quite likely that they will provide for an even season between you people and the men in Maine.—A. Those people in Eastport do not want the same season, because it gives them quite a pull.

Q. About the canneries here, what do they can?—A. What sized lobster, do you mean?

Q. Yes, what size?—A. Well, you are asking too much now, of course I do not know.

Q. It is not likely they can the market lobsters?—A. Yes, they can anything under $10\frac{1}{2}$ inches, they are supposed to can from 9 to $10\frac{1}{2}$, but they do not can any large lobsters.

Q. Since the change in the law in Massachusetts by which they take the 9 inch lobsters in Boston are you not shipping the mediums there?—A. Yes.

Q. Then there cannot be many left for the canner?—A. Well, he only gets a few in the spring, when they begin to rise in price they do not get them, it is only before that. Along about the middle of June we have to sell our lobsters while those fellows over in Eastport can hold theirs, that leaves us in a hole, we have to sell ours for whatever we can get for them. If we could hold them for a little while the same as the others can we would be able to make a dollar out of them too. June is an extra good month for fishing, the whole of June.

Q. Have the regulations, to your knowledge, ever been strictly enforced in Canada?—A. Not to my knowledge, no, but they try to enforce them, they are around every day cutting away the traps, but the truth of the matter is that if you cut away one trap the fisherman would put out two, or another one anyway in its place.

Q. Is there much gear lost here in the winter fishing?—A. No, there is no gear lost here.

Q. What do you consider the life of a lobster trap, how long will it last, one year with another?—A. A trap will probably last three or four years.

Q. You think you have still the same space here that you always had between the slats, it has not been narrowed down?—A. It has not been narrowed down, it may have been a trifle.

Q. Would you favour the encouragement of the live lobster trade in preference to the canning?—A. Well, I think so, because the canning as you see is narrowed down so now that they only have about a month of it, they do not get much beyond that here, you see they cannot put up any in the winter time because they are all shipped then.

Q. In the interests of the lobster industry would you favour closing down the canneries altogether?—A. I think I would.

Q. That is for your particular neighbourhood, of course, there are many parts of the coast where canning must always be the principal industry, because the people cannot ship their lobsters alive?—A. Oh yes, but I do not see what benefit the cannery is to us here now because they can only get a few lobsters in the spring.

Q. Those who can lobsters here are all engaged in some other branch of canning, are they not; they can sardines, I believe?—A. Yes, I think so; well, that factory at Welshpool does not can anything but lobsters, I think.

Q. Have you any idea of the extent of their pack?—A. I could not say, no.

Q. Which branch of the lobster industry do you think is the most remunerative to the fishermen and the least calculated to diminish the supply of lobsters, the live lobster trade or the canning?—A. I should say the canning would injure the fishery the most because they take the small lobsters.

Q. You think the live lobster trade is the most remunerative to the fisherman?—A. Sure, because the large lobster, you see, fetches anywhere from 15 to 45 cents, while the small lobster generally sells at from 3 to 5 cents, whereas if you let him

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grow in a very short time he will be a large lobster and we would get 15 or 25 cents for him.

Q. What have you to say with regard to the matter of hatcheries, would you favour the establishment of a hatchery in this neighbourhood?—A. I certainly would.

Q. That would keep the eggs from our berried lobsters at home instead of having them shipped over to the United States hatchery?—A. Yes, sure.

Q. Do you know anything about pounds, what have you to say about them?—A. I do not know anything about pounds at all.

Q. The practice in the State of Maine is to hold the lobsters in pounds and not to ship them until the state of the market warrants it?—A. It is a good thing, I think, we hold them in cars now that way, we have to do it, those fellows over there can pay more for them than we can, they have the trade all the year round and they certainly get all these little opportunities; we have to buy our lobsters and hold them until we get a price for them.

Q. You hold them in cars instead of pounds?—A. Yes.

Q. And at present you are obliged to sell out at a sacrifice as the end of the season approaches?—A. Sure, and this spring we had to cut them in a pitiful fashion, but just as soon as the season closed the price went up. We pay seven cents a pound, and I sell at eleven cents, and just afterwards, I had to buy them at 12 cents, they went up that fast, but that was just before the season closed.

Q. I do not know that there is anything else I want to ask you particularly, is there anything I have not alluded to that you would like to refer to yourself?—A. Nothing that I know of. We want a uniform season, uniform size limit and uniform conditions with the State of Maine. Instead of having 10½-inch lobsters in Eastport they have 4¾ on the back, there is no stretching. The buyers in Eastport have a great influence, they want the lobsters the year round, and I know just how they are putting it over us fellows. The lobsters over at Grand Manan are pretty small, I do not know the proportion, but they get a good many more small ones than they do large; the heft of the small lobsters come from Grand Manan, I do not know how small they really are. I have seen those fellows from there and they tell me, whether that is the view of the people or not I do not know, that they want a short lobster law enforced, they want to stop the short lobsters; that is what they tell me. I have talked to several of those fellows who are buying there, and they say that is what they want over there too. It is the lack of uniformity in the season that makes our men violate the law; if you could only go down here and see the way they destroy people's gear, it is scandalous. There are lots of old men around here, the fish are plentiful, and they might earn a dollar or two, but they are not allowed to go out and get it, they cannot do anything in the winter time when the weather is rough, but they have to sit by and see the men from the other side go out fishing in the summer time when they are not allowed to do so. Another thing here are those fellows running sardines, they live on the island there, but they are all American people and they put out their traps to catch fish with ours. That rouses the lobster fishermen, our fishermen do not like that.

Witness discharged.

HANFORD THURBER, fisherman, St. Andrews, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in lobster fishing?—A. About 40 years.

Q. Have you always fished in the same place?—A. Well, no, I have only been here 23 years.

Q. Before that where did you fish lobsters?—A. Campobello.

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Q. That is practically the same neighbourhood?—A. Yes.

Q. What is the condition of the fishery to-day compared with what it was 40 years ago?—A. I find there is just about as good fishing, I find it about the same.

Q. You do not find any decrease?—A. Yes, if you take it for 400 years, but in the last 20 years, I think it is about the same now as it was when I fished 20 years ago here; of course 40 years ago there were plenty of lobsters anywhere, but I do not see any decrease in the last 20 years.

Q. But there is a decrease?—A. Yes, from what it was 40 years ago.

Q. But that decrease you think occurred years ago?—A. Yes.

Q. To what do you attribute that decrease? What is the cause of it?—A. I think that in former years it was the canning of so many small lobsters, that is the cause of it, I do not see anything else that could have done it; you see there would be about on the average in this place two-thirds small lobsters canned.

Q. And they were all taken to the cannery?—A. They were all taken to the canneries.

Q. Do you think they are not still used?—A. Well, not around here, I do not think there are any go to the cannery at all that we catch here.

Q. Are you still engaged in fishing lobsters?—A. Well, for a while in the spring.

Q. You do not carry on any winter fishing?—A. No, you see the time I could fish lobsters is cut off.

Q. I see, you are getting a little too old to fish in the winter season?—A. Well, there is nothing in it for us here in the winter, it is too rough a place, and the fish drop off in the winter, so that you do not make enough to pay for the gear.

Q. Has the number of boats greatly increased since your first recollection?—A. I do not think they have—well, I suppose they have, they have increased with the lobster business.

Q. There could not have been as many boats fishing 40 years ago as now?—A. No, not nearly as many.

Q. Do the boats fish any more gear now than they used to?—A. About double; there is also a great deal of difference in the traps they use now.

Q. In what way do they differ, are they improved?—A. I should say it would be one-third more.

Q. You mean they do not catch any more lobsters, but that they hold all that do get in?—A. Yes, they hold them better, there will be no more in each trap, but when they do get in it holds them.

Q. Within your recollection has the space between the laths in the trap been narrowed down at all?—A. No, not to my knowledge, in building the traps we always leave the width of a lath between.

Q. What would that be?—A. Oh, one inch.

Q. Just one inch?—A. Yes, that is the width of a lath—well, they say it is one and a half inch, I do not know exactly.

Q. When you do fish, in what depth of water do you set your traps?—A. All the way from 10 to 20 fathoms.

Q. Are most of those who fish lobsters engaged in any other fishing?—A. A great many of them are.

Q. What other fishing do they engage in?—A. Trawling and weir fishing.

Q. At what particular season are these other branches of the fishery most prosecuted, when is the weir fishing on?—A. It commences about the first of May.

Q. And it lasts until when?—A. It lasts up till the 15th of December.

Q. And the trawl fishing, when does it begin?—A. We begin here on the first of May and that lasts up till Christmas, a little after Christmas sometimes.

Q. What do you do with your lobsters, where do you find a market for them?—A. Right here, we sell all our lobsters here.

Q. Who do you sell them to?—A. Gardner & Doone buy most of them.

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Q. What are they, export merchants?—A. They send most of them to Montreal, I think.

Q. You do not ship yours?—A. No, we sell to the smacks.

Q. What is the practise of the fishermen here generally, do they ship on their own account or generally sell?—A. They generally sell.

Q. Is there any time of the fishery when you see more egg-bearing lobsters than at another?—A. I never find any difference in that here, you will catch an odd one all through the season.

Q. Have you never noticed the eggs are riper at one time than they are at another?—A. I do not know that I ever noticed that.

Q. When do you think is the spawning season of the lobster?—A. I should say late in the fall from the appearance. The last lobsters we get seem to be the most advanced.

Q. When do you catch the last lobsters?—A. The 15th of June.

Q. That is a long way from the fall, we generally suppose that they spawn in the warm months?—A. I do not know, we get them in the depth of winter with eggs on.

Q. Yes, but those eggs will remain on them until the next July or August. Do you think they come into shoal water to spawn?—A. I could not say as to that because I have never noticed whether they do or not, I know I have caught them on the trawl in September.

Q. Do you think there is any movement on and off shore?—A. Yes.

Q. When do they commence to go off shore?—A. Away in October.

Q. When do you expect them to come back again?—A. We do not begin here again until the first of May.

Q. Then you think there is a movement on shore at that period?—A. Yes.

Q. Have you ever sold to the canners?—A. No, I have never sold to the canners.

Q. You have never sold any?—A. No.

Q. Not at any time in your fishing?—A. At no time in my fishing have I ever sold to the canner.

Q. Then you cannot tell me anything about their practise?—A. No, I cannot, because I have never sold to them.

Witness discharged.

JOHN DOONE, buyer and shipper (Gardner & Doone), St. Andrews, called and sworn:—

By the Commissioner: ,

Q. Your residence is at St. Andrews?—A. Yes.

Q. What is your particular connection with the lobster industry?—A. We buy the lobsters from the fishermen here and ship them.

Q. How long have you been engaged in that particular branch of the industry?—A. I have been engaged, myself, about 20 years, and for about 8 years I have been in the firm of Gardner & Doone.

Q. Were you ever interested in the canneries?—A. I have sold to the canneries.

Q. How do you collect your lobsters, do you send out a smack and buy them?—A. Yes.

Q. Within what limits do you operate, how far do you go?—A. To Briar island, and around the head of the bay, and we get some from St. Mary's bay, from Digby and around the Bay of Fundy.

Q. What size lobsters do you collect in the smack?—A. Shippers, we collect nothing under 9 inches.

Q. And those lobsters are brought in here direct?—A. Yes

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Q. Are they exported from here?—A. Yes.

Q. How do you keep them in the smack, is she a welled smack?—A. No, sir, they have a car.

Q. What class of vessel do you use for the purpose?—A. About fourteen tons.

Q. With a gasoline engine?—A. Yes.

Q. And those lobsters are brought here all packed in cars?—A. They are put in a car here and kept until we get a sufficient quantity to export.

Q. How do you export them?—A. The most of ours go to Montreal and Ottawa. We only shipped this year about fifty barrels to Boston.

Q. Can you give me any idea of the quantity of shipments to Canadian points?—A. I think it was about 20,000 pounds to Montreal and Ottawa.

Q. How long does it take them to reach Montreal from here?—A. They leave here at five o'clock at night and get to Montreal next day at ten.

Q. Do you meet with much loss in shipping to these points?—A. No.

Q. Are they sent by ordinary express or do you send by refrigerator cars?—A. No, we sent them by ordinary express with a notice to keep them away from heat, and we put ice on them from the 1st of May until the season closes.

Q. Speaking from your experience, what do you find to be the condition of the lobster industry?—A. It is falling off.

Q. Have you any difficulty in getting the same proportion of market lobsters you used to?—A. I have books to show that when I was running it fell off nearly one-half. In the month of January up about Point Lepreau it was no trouble to get 8,000 to 10,000 lobsters per month, and now you cannot get 4,000, besides that the quantity of appliances in use has been greatly increased.

Q. Although the gear and the number of fishermen have increased you cannot get the same volume of lobsters?—A. No.

Q. To what do you attribute the falling off?—A. I suppose it is to the small lobsters having been taken.

Q. Is it to your personal knowledge that the small lobsters are taken largely, that everything that comes into the traps is disposed of?—A. Oh, no, not that I know of.

Q. Of course all the evidence that we have taken away from here is universal, and the canners themselves admit it, and so do the fishermen, that the practice is that everything that is taken in the trap goes to the canner, unless it is exported.—A. I have heard it, but it is eight years since I was connected with the factory.

Q. When you were connected with the cannery what was the practice?—A. You were supposed to measure them, but when you got in a hurry, when you were taking a large load of lobsters, some little ones would creep in.

Q. There was an attempt to avoid taking the small ones?—A. Yes, there was an attempt.

Q. In many places they take them down to four or five inches, and they are counted as two for one, and the fishermen are paid for them that way, they take in practically everything they find in the trap?—A. I have no knowledge of that myself.

Q. Have you all the facilities you require for the transport of your fish to the Canadian market?—A. Have we all the facilities?

Q. Have you all the facilities you require, for instance, if you had cold storage on the route, or refrigerator cars to carry the lobsters, would your loss be less, would it improve matters?—A. Yes, I think we could ship a great deal farther west.

Q. How far west have you ever gone, have you ever shipped to Toronto?—A. Yes, we send some to Toronto, but not many.

Q. How did they turn out?—A. Very good.

Q. Was your loss heavy in transit?—A. No, we never lost any.

Q. Your shipments were made in the cold months?—A. No, we have sent them to Toronto in June.

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Q. But Montreal and Ottawa are the principal markets?—A. Yes.

Q. Do you find a demand for all you can ship at certain seasons?—A. June and July are the months they are most plentiful, but in March and April we cannot supply the demand.

Q. They would take more than you can send them?—A. Yes, more than we can send them.

Q. When you ship to Boston what route do you take?—A. They go by boat generally.

Q. You send by Eastport?—A. Yes.

Q. Has the change in the Boston regulations, which used to be ten and a half inches, and is now reduced to nine, affected the market price here?—A. Yes, it has affected the price, the lobsters have not gone as high.

Q. Have you any personal knowledge of the condition of affairs in the State of Maine; you know of course they carried on canning there largely at one time, and it was when the canning gave out, when they had exhausted their own fishery that the canners there came into this country, and became the pioneers of the industry here?—A. Yes.

Q. Is it to your personal knowledge that since canning has been abandoned in the State of Maine the condition of the fishery there has improved?—A. Yes, they claim it has. When I was running to Eastport they used to collect the spawn lobsters in a little steamer and bring them back after they had hatched them and distribute them back of Campobello, or around there, generally in their own launch.

Q. Is that lobster hatchery run by the United States Fish Commission or by the state authorities of Maine, do you know?—A. I do not know.

Q. Is there anything else you would like to say, is there anything I have not touched on.—A. I would like to make a statement as to what we would like the law to be.

Q. Yes, what regulation would you favour here?—A. I would favour throwing away all under ten inches and fishing all the year round.

Q. That is the same conditions that they have in the neighbouring state?—A. Yes.

Q. Would you venture to say that it is practically impossible to enforce regulations here if they are not the same?—A. I think it is.

Q. And would you venture to say that it is hardly fair to the fishermen living on the border to have different regulations on the other side and to expect them to obey the regulations here?—A. Yes, I think it is hardly fair.

Q. Has the number of fishermen greatly increased?—A. The lobster fishermen have increased, years ago they used to get herring in the winter time, but after that they all went into the lobster fishing; I have the books at home which I used to keep when I was running lobsters showing how many I gathered, and there is a big falling off now.

Q. If you had any written statement of that kind you could prepare showing the altered conditions I would be very glad if you would mail it to me?—A. Well, I have my book commencing about 1899.

Q. Anything at all you can give me, figures showing the catch then and now I will be very glad to have and it will be published with the evidence and submitted to the Committee; of course figures are exact and they tell their own tale?—A. I have the book at home and I will send a statement to you.

Q. The method of measuring in Maine, I understand differs from ours, they measure the back?—A. Yes, it prevents the stretching of the lobster and is more quickly done, and I think is a fairer way; some fishermen would stretch the lobsters out so that they die. You spoke about the spawning season. Now in the winter season when I carried lobsters, we would only get one or two out of 1,500 or 2,000 and in the months of June and July I used to get ten or fifteen, the proportion of seed lobsters is greater then.

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Q. Of course it is known to be the case that the lobsters come towards the shore in the warm months, and that the female lobster comes there to develop her eggs and hatch them out, she requires warm water to do that. If the lobster remained always in deep water she would not hatch out the eggs. What would you think of establishing a hatchery here?—A. I think it is a good idea to gather up the seed lobsters and have a hatchery here.

Q. As to that matter of holding lobsters in pounds, what is your idea? The practice in Maine is to hold the lobsters in pounds, the dealer holds them there until the market conditions warrant him in shipping?—A. That would be a good thing for the shipper here.

Q. That would place him on an equal footing?—A. Yes.

Q. The object, as I understand it, of any regulations is to place the Canadian fisherman and dealer in as good a position as their competitors on the other side.—A. I can give you an illustration on that point, now we got an order from Chicago for about ten barrels of lobsters a week, but as soon as they found we had no pound they cancelled it, because they said they could not depend upon any one who hadn't a pound to give them a constant supply, therefore we did not get the contract.

Q. But if you had a pound you could have filled that order?—A. Yes, they were wanted for hotels and places of that kind where they have to have the lobsters regularly, you know.

Witness discharged.

WHEELER MALLOCK, fisherman, St. Andrews, called and sworn:—

By the Commissioner :

Q. Do you figure as a lobster fisherman?—A. Well, lobster fishing is not my business, that is generally, but I fill in the time fishing.

Q. How long have you been engaged in the practice, how far back does your recollection of lobster fishing go?—A. I think it is about twenty-three years since I came to St. Andrews, and off and on from that time I have fished lobsters every year.

Q. Where did you reside before that?—A. Campobello.

Q. And had you fished there too?—A. Not very much.

Q. What is your opinion of the present condition of the lobster fishery as compared with the time when you began?—A. Well, from the standpoint of our own district, I can only talk of that, because I do not know much about the outside, St. Andrews Bay looks to me to have the best quality of lobsters there is within miles around, for 500 miles around, the largest lobsters and the best, and since twenty-two years ago up till this spring I cannot see very much difference in the fishery. They come in shore about the first of May so that we can get at them to fish through the month of May, and I think this year there was just as good fishing apparently as there was twenty-two years ago, we caught about the same number in the trap, but the season is so short for us that we cannot go to any big expense in fitting out traps, because by the time we get our traps located the season is pretty nearly over, and we have to commence taking them in again.

Q. Do I understand you to say that there is actually no decrease in the fishery? That there is no falling off in the quantity of lobsters, and that they are as abundant as ever they were?—A. That is this way, there may be in the small lobsters outside, but I am only just talking for St. Andrews district, and it seems to me that the big lobsters are just about the same as when I fished here twenty-two years ago.

Q. And you get as many of them?—A. Well, in general, some weeks there will not be as good fishing, we have high tides and strong currents, but the lobsters will crawl in just the same as any other kind of fish make movements.

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Q. Do they winter in St. Andrews Bay?—A. Well, I think some do and some go out; I think what we call the ground keepers, the same as the small cod and the small haddock and fish like that, you will find home breeds, they stay here all the year around. I notice down here there will be a stray lobster make his home under the rocks somewhere, but as for fishing in general you may as well fish for wild geese because they have gone south in the winter time.

Q. What is your practice as regards the disposal of your catch, do you export your own lobsters?—A. No.

Q. You sell them to the local dealer?—A. We sell them mostly to Mr. Doone, he buys them, there is a risk for us in shipping, and he is acquainted with all the dealers everywhere.

Q. Are there any other smacks or dealers buying in the neighbourhood, there is competition in the matter, is there?—A. Well, hardly any here.

Q. At all events if you are not satisfied with the price you get in the local market you can ship them yourself, you have that opportunity always?—A. We can, we are not confined to that one buyer.

Q. The fishermen who sell to the packer tell us that in some places there is one price, and they either have to take it or leave it, but that is not the case on this shore?—A. No, they give a fair price, and the little that they take for commission is more than covered by the risk that we would have if we shipped ourselves.

Q. As to these female lobsters, what is your experience, are they more numerous at any part of the season, do they come in shore?—A. Well, my opinion of this female lobster, just how long it takes to mature the eggs I do not know, but I find them the season round; more or less all the months that we fish we find the berried lobster almost ripe.

Q. At what particular time is that?—A. That would be in June, then we find the same lobster, I have marked them and caught them three times over in the same season in the trap, and I think they come inshore to spawn more than the other fish.

Q. And you think they spawn during the warm months?—A. I think so.

Q. What has been the practice here with regard to that spawning lobster, has she been protected, returned to the water?—A. Well, to my knowledge she has.

Q. The practice of brushing and stripping her eggs has not been carried out here at all?—A. Oh, I do not know, I do not think so.

Q. Various propositions have been made to the Department with regard to the best measures to take for the protection of the lobster. One is to require the lobster fishermen to register, and to take out a license, reciting the regulations and that he would bind himself, by signing it, to obey the regulations. The idea is that the fisherman having done that will feel bound to strictly obey the law himself and that he will be very likely to see that his neighbour does the same; of course anyone found violating the regulations would lose his license and would not be allowed to fish lobsters. How does that strike you as a means of protecting the lobsters?—A. I should think there could be no law made but what would be all right for the honest man, I do not think that would hinder him a mite, for myself I do not think that will be any hurt to me at all, make all the laws you have a mind to.

Q. Some people have suggested shutting down all lobster fishing for a term of years until the fishery has come back to its original condition, what do you think of that as a remedy?—A. Well, my view has not scope enough, I am just confined to a small district, and I am just telling you what I think about that. There are not, to my knowledge ten pounds of lobsters going out of St. Andrews Bay to the canners, and that is the secret of the success of the lobsters in St. Andrews Bay. Grand Manan, Nova Scotia and these places complain about a falling off in the lobsters, and that is natural enough because there are multitudes of them being taken into the canneries and you will find a decrease there, that is my idea about it, I do not know whether that is correct or not.

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Q. To make a long story short, what is your suggestion, what is the best regulation to enforce for this particular district not St. Andrews bay alone, but for the whole county of Charlotte? How would the same regulations that exist in the State of Maine suit you—A. That would be the nearest you could get at it, to protect your lobsters, and any man that wants to let him fish the year round. Now, for instance, right across in Maine here, on one side of the border one man goes out and puts out his traps, and on our side we have to haul ours up; that is not right, it induces men to break the law. If I were allowed to fish the season round and to take all above ten and one half inches I would not be a bit afraid to take my chance in St. Andrews bay to make provision for my family.

Q. Can you give me any idea of the average earnings of an average lobster fisherman during the season as it is at present?—A. Here?

Q. Yes, what is the amount a good lobster fisherman would receive for his season's work, it varies some, and some are more industrious than others?—A. Some men fit out more expensively than others, but I think one man for the two months' work would get \$120 to \$140, something like that.

Q. That is for the two spring months?—A. Yes.

Q. From the middle of April to the middle of June?—A. We cannot count on April, we get our traps out maybe in April, but we can never count on anything until May, from about the middle of May until the last of June.

Q. Have you any idea with regard to the State of Maine when the best of their fishing is done?—A. I could not say.

Q. Have you anything else you would like to add to what you have already said?—A. Well, no, there is nothing; the dead fact is I have been so disgusted with the thing that for 3 or 4 years I haven't done much at it at all because the last convention we had here I supposed that we would have had a 10½ inch law and instead of that we got the limit shortened so that we were under the necessity of turning our attention to something else.

Witness discharged.

Messrs. Arthur Barteau, Willard Tewkesbury, Robert Worrell, Arthur Heubert, William Cyrill, John Malloch and Arthur Cyrill, fishermen, Deer Island, were also present and stated that they approved of a 10½ inch limit, a uniform season and the establishment of a fish hatchery.

Commission adjourned.

GRAND HARBOUR, GRAND MANAN ISLAND, September 22, 1909.

EDGAR COOK, fisherman, Grand Manan Island, called and sworn:—

By the Commissioner:

Q. How long have you been engaged in the lobster industry?—A. I have just fished one season.

Q. When was that?—A. That was about ten years ago.

Q. You have always lived in this harbour?—A. Yes.

Q. And you are familiar with the lobster fishery?—A. Yes.

Q. Within your recollection, what is the condition of the fishery to-day compared with what it was when you first remember it?—A. There has been a gradual decrease.

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Q. How long has that decrease been going on?—A. As far as I can understand it has been going downhill, always has.

Q. Since the fishery first began?—A. Yes, since the American factory used to be here, I do not know just what year that was.

Q. The American factory? Is that the one owned by Burnham & Morrill?—A. No, Underwood.

Q. And Underwood gave up when?—A. I could not tell you that.

Q. Was he succeeded by Burnham & Morrill?—A. No, there were a number of years that we carried the lobsters over to the factory on the American shore, Holmes used to buy a good many of them.

Q. What about the present factory, when was it established here, Burnham & Morrill's have a factory have they not?—A. Yes.

Q. How long has that been in operation?—A. 8 or 10 years or more.

Q. Are there any other canneries in operation here?—A. Captain Ingersoll has one at Seal Cove.

Q. How long has that been in operation?—A. Five years.

Q. What number of people are engaged in the lobster fishing from this centre?—A. Do you mean from this harbour?

Q. Yes, what number of boats?—A. I think I would be safe in saying there are 30 fishermen in this harbour.

Q. What is their practice, do they all own their own boats and gear?—A. Yes.

Q. How do they fish generally, two men to a boat?—A. Yes. A good many of them do, they set all single traps.

Q. How many traps do they generally fish?—A. About a hundred on the average.

Q. And they fish all single lines, not trawls?—A. No.

Q. They begin fishing when?—A. I do not know what the law is now.

Q. They do not begin before the legal term?—A. No.

Q. That is the 6th January; and they commence in the beginning of January at all events?—A. Yes.

Q. Do they fish all the winter through?—A. It all depends upon what kind of winter it is.

Q. But the traps are there?—A. Yes, but if they get a big storm they take them up; lobsters are scarce at the last of the season and they do not continue until the end.

Q. How is the fishing in January when they first begin to fish?—A. It is at its best.

Q. What is done with the fish they get at that part of the season?—A. Well, they have to sell them for counters, in the American market.

Q. That is all over 10½?—A. The American market takes the small lobsters now.

Q. They take the 9 inches now in Massachusetts. What becomes of those under 9 inches?—A. I could not tell you that.

Q. Are the canneries in operation at that season?—A. No.

Q. Are the small lobsters shipped to other places where the canneries are in operation; are smacks here to buy them and carry them to the canneries?—A. Yes. That is just the argument men will use in favour of the canning business, that they might just as well be canned here as taken away.

Q. We know that the small lobsters are caught and utilized in some places, and we want to get at the truth; how is it in February and March, is the fishery carried on vigorously?—A. I think it is carried on just about the same.

Q. That is whenever they can get out or when the weather is fit?—A. Yes, but they do not crawl as well in February or March as they do in January, they slack off.

Q. When does the fishery begin in earnest again, in April or May?—A. Yes, that is the time, most everybody who is a lobster fisherman gets into it again then; they start in at it in earnest then.

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Q. Do they fish on the same ground in April, May and June as they do in January?—A. They fish on the ground all round here.

Q. How far off shore do they go with their traps?—A. 8 or 10 miles off.

Q. In what depth of water do they generally fish?—A. They go as high as 20 fathoms.

Q. You have only fished one season so you must not have much idea about the fishery, but can you tell me what percentage of the fish caught in the traps are marketable fish over 9 inches, and what percentage is less than that?—A. I could not say exactly, but a very small proportion of them are counters.

Q. A very small proportion of them are market fish?—A. Yes, of those caught on this part of the island.

Q. Can you give me any idea of the percentage of egg-bearing lobsters that are found in the trap?—A. I could not.

Q. Are they more numerous at any particular part of the season than they are at another?—A. Well, I do not know that they are, I think our breeding season here is late.

Q. There has been a decrease in the fishery according to your statement, to what do you attribute that decrease?—A. To over fishing.

Q. To over fishing in what way; is it legitimate over fishing, that is to say catching only the large fish, or is it the destruction of the small fish?—A. Both ways.

Q. And what suggestion would you make as to the remedy for the future?—A. Well, I would favour the enforcement of the law, taking the lobsters when they get their growth so that we would get the benefit of their growth.

Q. What would you call the limit?—A. $10\frac{1}{2}$ inches.

Q. You favour taking nothing under $10\frac{1}{2}$?—A. That is what I would favour.

Q. And what season would you favour?—A. Our fishermen here all claim that February is the high priced month for lobsters, they get a high price for them in February, but they say you cannot catch them then; I would say, January, February and March.

Q. You would fish in January, February and March?—A. Yes.

Q. And not at any other time?—A. Not at any other time.

Q. How are your market lobsters disposed of, do you send them direct to the market yourself?—A. No, very few do that, most of them are bought by the American smacks which come here for the purpose.

Q. Where do the American smacks come from mostly?—A. Some of them come from Portland and some from Eastport, a good many of them are from Eastport.

Q. What do they do with the lobsters, where do they take them, have you any idea?—A. No, I haven't any idea what they do with them.

Q. What I want to find out is whether the lobsters carried from this neighbourhood are held in pounds that are established all along the American border?—A. I do not know.

The CUSTOMS OFFICER (Grand Harbour): Yes, they do, because I know from the entries they make here that is what they do with them?—A. I will say that this is the best lobster ground in North America; my grandfather was the first man who ever canned lobsters here.

Q. How long ago was that?—A. I cannot tell you exactly, it is 45 years anyway.

Q. How long did he continue canning?—A. Well, he only canned I should think, about 12 years.

Q. Have you any idea why he gave it up?—A. He got too old.

Q. Did none of his children succeed him in the business?—A. They all did, but not here; he canned lobsters here at that time and one lobster would fill four 1-pound cans.

Q. Have you within your recollection had any very large lobsters here?—A. Not in my time, but there have been quite large lobsters of course here.

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Q. Have you any idea how many cases Burnham & Morrill pack during the season?—A. About 2,500 cases is the limit, but I cannot tell you how many they pack.

Witness discharged.

CHARLES BROWN, fisherman, Grand Harbour, called and sworn:—

By the Commissioner:

Q. How long since you fished?—A. I have not fished lobsters for eight or ten years.

Q. How long did you fish lobsters, 20 or 30 years?—A. No, not as long as that, but I did fish for about 15 years.

Q. How long since you first began fishing lobsters?—A. Forty-five years.

Q. What was the condition of the fishery then compared with the present?—A. It was as good as it could be.

Q. Describe it yourself?—A. I have taken 80 of those old-fashioned traps and set them out in the morning, and hauled them at 11 o'clock that day, and I have taken 1,400 large lobsters out of them.

Q. What would those lobsters average?—A. There were no small ones, we did not get any small ones then of any consequence; all our small lobsters in those days would be 'counters' now. Then I have had my dinner and gone out in the afternoon and hauled again and took 1,400 more lobsters out of the traps, making 2,800 in one day.

Q. How long did that continue?—A. That would be about 12 years.

Q. There were very few people fishing then?—A. Quite a number.

Q. Did the number of fishermen increase steadily?—A. Yes.

Q. How is the number now compared with what it was then, the number of boats?—A. There are three-fourths more now than there were then.

Q. That is there are three times as many?—A. Yes.

Q. And they are fishing more gear?—A. Yes.

Q. Are they fishing the same ground or are they farther off?—A. No, they are not fishing the same ground, we caught most of our lobsters right in here in Grand Harbour.

Q. And now they have to go farther afield for them?—A. Yes.

Q. When you gave up fishing, how greatly had the fishing fallen away?—A. Very little; when Mr. Mitchell came here there was good fishing then.

Q. When did he come here?—A. I could not tell you that, but I think it was about 30 years ago.

Q. And did you notice then that it was beginning to fail?—A. No, not much; it hung out well because they shifted their traps farther out.

Q. Just describe in your own words what the condition of the fishery was, how long after that was it that you first began to notice there was a serious decrease?—A. I could not tell you that, the decrease was going on all the time, it was impossible almost to tell when it commenced to decrease because they were shifting out into deeper water gradually. The number of fishermen was increasing and we were going farther off shore to get the lobsters, and in that way the fishery was maintained for a number of years.

Q. But at present even in spite of all they are doing, can they maintain it that way?—A. I think they have caught the lobsters off, the lobster fishing is played out, we have been taking big, little and all kinds. We fish all the year round nearly, we fish in the fall and then we go at it again in the spring, and the lobsters have no chance.

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Q. Do you think that the canning is more injurious to the fishery than the live lobster trade?—A. No, I do not.

Q. That is to say if they can only the legal lobsters?—A. Yes, that is it.

Q. Could the canner exist to-day if the 9-inch limit were enforced?—A. Yes, they could if they would sell them to the factory to can, but they will not give them to the factory, only the culls.

Q. They pick them out and sell them because they get a better market for them that way than the canner can afford to give?

Mr. Cook.—Yes, they get as high as 30 cents apiece for counters.

A. That is in the winter, but they do not get that for them in the summer or spring season.

Q. What will the average be in May and June?—A. Ten or twelve cents.

Q. Who do they get that price from, the smacks that come round here and buy them?—A. Yes, the smacks come around and buy them.

Q. What has been the practice here with regard to the berried lobster, has it been the practice of the fishermen to brush the eggs off and sell them?—A. No, they do not do that, they take the lobster with eggs on it and throw it out of the trap.

Q. Have they always done that?—A. They have always done that, but there may have been a few that did not, although they are pretty honourable here; the fishermen here are keen enough to know a spawn lobster even without the eggs being out, I can tell them just as soon as I see them.

Q. It is curious that the lobster fishery should decrease as it has if they all do that?—A. That is not my idea at all, because the lobster fishermen have increased terribly during the last thirty years, they have increased the number of traps by thousands and they have fished winter and summer so that the lobsters do not get a chance at all.

Q. How do they do in the State of Maine, there they have a size limit of 10½ inches and they fish all the year round?—A. They fish almost out of sight of land in the winter time, they do not fish in shore the same as we do here.

Q. What depth of water do they fish there?—A. I couldn't tell you that, but I guess it is pretty deep, it would be 40 fathoms all right. I think the mother lobster has been protected pretty well here by the fishermen, I do not think there are very many who have taken them. The fishery has decreased because the lobsters cannot stand it, they are over-fished. Look at Whitehead and other points around there, in deep water the ground is covered with traps, and the lobsters cannot stand that, it is over-fished.

Q. Do they use the same trap now they used to?—A. No.

Q. What is the difference in the trap?—A. Well, the difference is these traps were made with large bows, three or four bows in each, and some of them have got down to the square trap with four heads in it.

Q. Do they put the laths any closer together than they used to?—A. No, they are about the same size.

Q. What space do they allow between them?—A. Well, they put about the width of your two fingers, which will be about 1½ inches.

Q. What is the advantage of the present trap compared with the old-fashioned trap?—A. Well, that is wonderful now, I could not explain that.

Q. Can you tell me wherein the new trap is better than the old one?—A. Well, with the old one the lobster would crawl out of it and the head of it was nothing but a round bow with a net, and four lines up to that, and when you were hauling it sometimes you would see one-half of them crawling out of the trap.

Q. What name do you give to that new trap, the parlor trap?—A. I never heard the name.

Q. It is generally supposed that the only advantage that trap has over the old-fashioned one is that it holds the lobsters better?—A. Yes, that is it.

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Q. And in many places they have put the slats closer together with a view of holding the small lobsters?—A. I have always used the head of the hatchet as a guage, leaving the space about $1\frac{1}{4}$ inch, and everybody else does about the same, as far as I have seen, and they make these parlor traps with the slats about the same distance apart, but they are so constructed that the fish cannot get out.

Q. What is your remedy for the trouble, what would you say?—A. My remedy would be to stop winter fishing entirely.

Q. And when would you commence?—A. Start to fish in April.

Q. And you would fish how long?—A. Until the first of July. In that way the lobsters will have a chance to increase and in no other way. I think the lobsters have spawned when they shed their shell.

Q. You think the lobsters have generally spawned before they shed their shell?—A. I suppose some do, but in July or August is the month when they shed their shell.

Witness discharged.

JEROME DAGGET, fishermen, Grand Harbour, called and sworn:—

By the Commissioner:

Q. How long have you been connected with the lobster fishery?—A. About 30 years.

Q. What is the condition of the fishery to-day compared with what it was when you began?—A. It is very limited, only the advance in the price makes it possible to carry on the industry at all.

Q. How did you fish thirty years ago?—A. We fished on trawls, the same kind of trap practically that we do now, it was nearly as good, there might be a little improvement, some little change in the way of baiting and the like of that.

Q. What number of boats were fishing in those days compared with the present?—A. I could not just tell you that.

Q. There are a good many more now?—A. Yes, a great many more.

Q. Has it doubled or trebled?—A. I think it has trebled, in my opinion.

Q. How are they, do they fish two men to a boat?—A. Yes, they fish two men to a boat as a rule.

Q. How many traps will an average boat fish now?—A. An average boat will fish about 100 traps.

Q. What number of traps did you usually fish when you began?—A. About 50.

Q. Did you usually go as far off-shore then as they go now?—A. No.

Q. What season did you have?—A. May and June in the beginning.

Q. Only those months?—A. Yes, and April with some fishermen, but they were the principal months.

Q. What market had you for your lobsters then?—A. There was a factory here and the smacks ran from Jones' Port in the State of Maine.

Q. Were there factories in existence when you began fishing?—A. Yes, one operated right here in this place.

Q. Who operated it?—A. William Underwood, of New York.

Q. Have you any idea how long he operated here or why he gave up or disappeared?—A. Well, I imagine he operated about 10 years, but I am not positive on that point.

Q. How many canneries have you here?—A. We have none for the present year.

Q. Who is it operated by?—A. Burnham and Morrill.

Q. They did not operate it this year?—A. No.

Q. Have you any idea why they did not?—A. No, I have no idea why they did not.

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Q. What proportion of the fish caught is exported to the market, what would be market lobsters?—A. Well that varies so that it would be pretty hard to tell. The off-shore fishermen export a large proportion of their catch, but the in-shore fishermen get a smaller lobster and they go to the factory.

Q. What would you call the in-shore fishermen, those who fish around in the bays, harbours and shoal water generally?—A. Yes, in ten and fifteen fathoms of water and in the bays.

Q. And those that fish off-shore get a larger proportion of market lobsters?—A. Yes.

Q. What has been the practice of the cannery, to receive and can everything that is brought to them?—A. No, I fancy not, I think they have observed the law fairly well.

Q. And that they have not canned anything under nine inches?—A. No, I do not know that, because I do not work in the factory.

Q. Well, do you know what is the practice of the fishermen; do the fishermen expect the canner to take everything they bring them?—A. Well, the fishermen as a rule catches what he can market.

Q. No matter whether he markets it at the cannery or elsewhere?—A. Yes.

Q. Now tell me, what has been the practice of the fisherman with regard to the berried lobster, the female lobster with the eggs extruded? In a great many places, in fact over the bulk of the coast, we find that the eggs are brushed off and the lobster goes to the cannery, the smack or somewhere?—A. I think the practice has been here that that particular law has been well observed; I do not think that has been the practice here at all.

Q. Have smacks come here from the United States to buy the berried lobster?—A. Not to my knowledge.

Q. Now, with regard to the trap, the one you began to fish with I suppose was the old-fashioned double-ender, the whole length of the lath?—A. Yes.

Q. And now you fish with the shorter trap, do you not?—A. Yes, a shorter trap and it has three doors instead of two, and then it has an inside chamber in it so that it holds all the lobsters that may get in.

Q. The only difference is that it holds the lobsters better than the old one?—A. It holds the lobster better, but I do not think there are any more lobsters get into it than in the old-fashioned trap.

Q. Has there been any considerable narrowing down of the space between the slats; forty years ago the trap was always made with one and a half inches between the laths, and to-day we find that in many places it is not more than a half inch.—A. There are none built on that scale here.

Q. What is the scale here?—A. I should think about one and a quarter inches.

Q. Is it as much as that?—A. Yes.

Q. That ought to allow a pretty good sized lobster to escape?—A. Yes, any space that a lobster can get his right claw through he will go through, a broken mesh, or if you miss a thread in the mesh in the head of the trap it will let him out.

Q. What is the market price of lobsters, what are they worth?—A. That fluctuates?

Q. To what extent does it fluctuate?—A. From twelve to thirty cents.

Q. That is for the lobsters over ten and a half inches?—A. Yes.

Q. What is the price for mediums between nine and ten and a half?—A. Well, the standard is about four cents.

Q. Are they exported abroad or do they mostly go to the canner?—A. They mostly go to the canner, under the Massachusetts law they accept them down to nine inches.

Q. That made a difference?—A. Yes, that made a slight difference.

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Q. Have you any idea of the conditions prevailing in the State of Maine at all, you know there they have a ten and a half inch limit and no close season, they fish all the year round?—A. Yes.

Q. Have you any idea how the fishery is in the State of Maine; has it improved or is it still falling away?—A. I am under the impression that it is still falling away, two years ago I was told by a practical fisherman who had fished for twenty-seven years that that was the poorest season he had ever seen.

Q. What is your own view as to the regulation that would be best calculated to preserve the lobster fishery here?—A. My own personal view is that a close season with two months' open season would do the most people the most good and would give the greatest protection that could be afforded to the lobster fishery.

Q. What open season would you have?—A. May and June.

Q. And no fishing at any other season?—A. No fishing at any other season, I believe that protection should commence with the parent lobster and not at the little snapper.

Q. I understand you to say that you would have that season, and how would you protect the parent lobster?—A. Well, the seed lobster with regard to her the law without any regulations would be sufficient, that is the spawn lobster I am referring to.

Q. Would you fish two months without any size limit?—A. Without any size limit.

Q. You would just govern it by the short season?—A. Yes, well you might put a clause in too providing that a man for shame's sake would not catch them too much under nine inches.

Q. I think some of them would stand a good deal of shaming, they get them down to four and five inches in many places.—A. It is no use, you must admit that you cannot expect a man to throw away a fish that he knows his neighbour will pick up and sell, because by so doing he is not benefiting the fishery, he is only helping out his neighbour who, is ready to violate the law; it would take an officer on every boat to stop it.

Q. Has there been any regular and steady attempt on the part of the officers to enforce the law?—A. I think there has, I have no complaint to make against the officers; an officer soars down on a poor lobster fisherman, after the season has closed, after the slaughter has been made, and it only makes the poor man \$10 poorer and does not help the fishery.

Q. What does the officer pounce down on them for?—A. For catching small lobsters.

Q. Have you ever known any fisherman being fined for catching small lobsters —A. Yes, years ago they did, but now people have got so steadfast in their opinions that they do not need that. Now in regard to the canning licenses.

Q. Yes?—A. Why is it that a man who makes a legal application and pays for his license should not have it?

Q. That is to say you think one man has as much right to a license as another? —A. Yes, provided he complies with the conditions of the law, in my opinion that is how it should be.

Q. Well, would you allow canning to go on indiscriminately, that any man that applied for it should get a license?—A. Yes.

Q. Would you not require some guarantee that his cannery would be up to a certain standard?—A. Well, I do not see why that would be necessary.

Q. We have seen a good number of canneries where it was impossible to put up a good product in the cannery the way we found it with dirty tables and foul surroundings.—A. Well, that is to their own detriment.

Q. There must always be some regulations, some inspection of the canneries?—A. What for?

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Q. I think the idea of the department was not to discriminate in any way, but that by limiting the number of canneries they were limiting the amount of fishing. Is it a fact that if you had a half a dozen of factories here instead of one it would not increase the number of fishermen?—A. No it would not increase the number of fishermen by one.

Q. Would an increase in the number of canneries mean an increase in the amount of fishing done?—A. No, it would not. In regard to the protection of the short lobsters I would make the suggestion that the smackmen should have a license, which should not be burdensome, but so that every man who ran a smack would make his deposit as security that he would carry on his business according to the regulations, and that would be all the protection necessary; as far as protecting it by the fishery overseers it is impossible.

Q. A good many propositions have been made to the department, some people have proposed that the lobster fishery should be shut down altogether for a term of years in order to allow it to recuperate, that undoubtedly would be a thorough way to do it; then the Lobster Commission of 1898 recommended the closing down by sections, moving around gradually until the whole coast had been given a close season?—A. Yes.

Q. Then another suggestion is that every lobster fisherman should take out a license before he commences fishing, without any charge, probably, by which he binds himself to fish according to the law, and signs a statement to that effect; the idea is that the fishermen having done that would strictly obey the law and would inform on others who did not, the penalty for violation being the loss of the license.—A. I think that could be embodied right in this, so that it would cover those that are carrying on the trade in lobsters; a man will not violate the law unless he is getting money out of it.

Q. Do you mean the United States lobster smackmen; how would you get at them?—A. They deal in all kinds of lobsters you know, and we should get at them.

Witness discharged.

WILLARD A. INGLES, fisherman, Grand Harbour, called and sworn:—

By the Commissioner :

Q. Have you always been a resident of Grand Harbour?—A. I was born in Grand Harbour, and at six years of age my parents moved to Eastport, Maine, at twelve years of age my parents moved back here and I have been here ever since.

Q. How long have you been engaged in lobster fishing?—A. I have only missed three summers since I was eighteen.

Q. And you are now how old?—A. Forty-nine.

Q. How do you find the condition of the fishery now as compared with when you first began?—A. Well, under the same conditions it would be just as good.

Q. That is if there were as few people fishing?—A. Yes.

Q. Do you think there is the same volume of lobsters on the ground?—A. Well, I think in two years it would increase.

Q. In two years?—A. Yes, it would go back to the old standard in two years.

Q. If it were reduced to the same number of fishermen?—A. Yes, but it would be practically no use to stop fishing for two years unless we had some observation of the law afterwards.

Q. Has the law ever been enforced?—A. Not to my knowledge, except in the case of Captain Pratt, when he used to first come here he made us toe the mark for a couple of years, and the effect lasted for three or four years.

Q. Can you give us any idea of the number of boats fishing here when you commenced to fish?—A. Not on the whole island, I could not.

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Q. Well, take it out of this harbour, in this neighbourhood?—A. I should think there were at that time, in this neighbourhood, about twenty boats.

Q. And what amount of gear was usually fished then per boat?—A. From seventy-five to one hundred traps.

Q. And now there are about how many boats?—A. Well, I could not tell you off-hand.

Q. We want to get at the increased amount of fishing if possible?—A. I should think that in the same locality it has increased to about double.

Q. Are they fishing any more gear, will they average more gear now?—A. Yes.

Q. And do they go out into deeper water?—A. Yes.

Q. They go further off?—A. Yes, and in my opinion that has been the chief cause of the depletion of the lobster grounds, that is the off shore fishing with the large lobsters.

Q. Do you get a better run of large lobsters off shore than in shoal water?—A. Yes, we get five times as many count lobsters.

Q. Is the tendency to go off shore all the time?—A. Yes.

Q. What would be the limit of depth at which you could fish, do you think?—A. Here we have high tides that bar us from fishing outside the shoals, it is a matter of how much tide there is, in deep water you could fish as deep as you wanted to, seventy-five or eighty fathoms but with a swift tide such as there is here you could not do that, because the tide would run the buoys away.

Q. Is there any general movement of the lobsters towards the shore in the spring?—A. Well, my experience has led me to think there is.

Q. That is generally the case, the lobster is not supposed to move a great distance along the shore, but to move off shore and on shore.—A. I noticed from experimenting that along towards the first of the year, about the middle of November, and some years a little later than that, there is generally a movement off shore, and along about the 20th of March there is generally a movement of lobsters in shore.

Q. Do you think that the female lobster comes in shore to spawn?—A. I have every reason to believe she does, but I could not swear that she does not spawn in deep water.

Q. Of course you find them in deep water with the spawn attached?—A. Yes, and very ripe.

Q. What seasons of the year would you expect to find them very ripe?—A. Along in the warm weather.

Q. You would not find them very ripe in the fall of the year or along in January or February?—A. Oh, no.

Q. And as a rule then they are moving on shore in the spring?—A. Yes.

Q. What proportion of the catch in the early days were market lobsters; of a fisherman's catch, how many out of a hundred would be fit for market?—A. In the first of my fishing do you mean?

Q. Yes?—A. Well, you know at that time we used to catch everything that went into the trap, and sell it at sixty cents a hundredweight, and I know that the first year I fished I put off sixty traps and I earned \$210, that was at sixty cents a hundredweight. But Mr. Cole a few years ago figured out the proportion of large lobsters that there would be in it, and that catch would now come to between \$1,400 and \$1,500 at the present prices.

Q. Everything caught went to the cannery in those days?—A. Yes.

Q. You did not export any alive to market then?—A. No.

Q. They all went to the canner?—A. Yes.

Q. To-day what proportion of your lobsters would be market fish?—A. In shore if you hauled out 100 lobsters you would not get more than ten or fifteen markets.

Q. That is over ten and one half inches?—A. Yes, and off shore you would probably get from thirty to forty.

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Q. How are the market lobsters disposed of here, do the fishermen export them to the market, or are they sold to the smacks?—A. Up to the last year or two back they were sold to the smacks chiefly, but now the people who catch them are in the habit of doing their own shipping to the western market.

Q. That is principally to Boston, I suppose?—A. Yes.

Q. And you ship by way of Eastport?—A. Yes.

Q. And with regard to the smaller lobsters, what is done with them now?—A. Well, we dispose of them wherever there is a market.

Q. What is generally the market for them?—A. The cannery has been the market here up to recently.

Q. Are there any small or berried lobsters shipped abroad to your knowledge? In some places we have heard that along this shore smacks take the female lobsters with eggs and pay more for them, to take them to the pounds along the coast of Maine?—A. To my knowledge I never knew a smackman to take berried lobsters, never in all my fishing, I have never sold one, but probably those who told you knew what they were talking about.

Q. It is a foolish thing to sell them out of the country, but it is reported that this has been done, and that it is done very generally; that they gather the eggs from the Canadian lobsters and carry them to the United States hatcheries?—A. I have heard it stated on very good authority that such is the case, but I never took much stock in it.

Q. Is there any change in the trap? My first recollection of lobster fishing goes back quite a way, I live on the coast myself. I know when our people first began to make lobster traps they made them out of a whole lath, and the space was always the width of a lath, one and one half inches. A. Yes.

Q. And now on the coast they have cut that space down to a half an inch?—A. Between the slats?

Q. Yes, I suppose it is about three-quarters of an inch when they put them on, but the swelling of the laths in the water makes it only a bare half inch?—A. Is that so.

Q. That can only be done with one object, with a view to holding the small lobster?—A. Yes.

Q. What is the practice here?—A. The best trap we have to-day is not over one half the size of the trap we had twenty-five years ago, and the heads are different.

Q. It is not that they catch any more fish, but they hold those they do catch?—A. They hold those they do catch better, I do not think really that any more fish go in.

Q. Do you think that the space is narrowed down?—A. cannot say that the space is changed because we do not want to catch the small snappers which would go through the small space, they are not worth very much.

Q. Has the canner ever refused to take small lobsters?—A. Yes, I have known him to send the boats away, he would not take them at all.

Q. Was there any number of canneries running at the time?—A. Yes, there were.

Q. Because the practice of the canneries in some places is to take everything that is offered, we have found them taking them so small that it required 14 to fill a pound tin, it takes nine 7-inch lobsters to fill a pound tin, so that you can guess how small they would be?—A. I have known lobsters to be taken where they were hardly any measure at all.

Q. Would they be carried to the canneries in the neighbourhood of Digby or towards the United States?—A. They went to Nova Scotia and Campobello.

Q. What would you propose as the best thing to do in order to restore the lobster fishery to its former state? Some people have recommended that we should stop lobster fishing universally in Canadian waters for a term of years?—A. In my opinion that is an utter impossibility unless they are prepared to put on about three additional fishery cruisers and keep them going steadily; as long as there is a market for them

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lobsters will be caught and sold. They are being caught to-day on Grand Manan and sold.

Q. Not only on Grand Manan, but at other places?—A. On the whole shore.

Q. Another proposition is to close down by sections, to stop fishing we will say on Grand Manan for a year, and then on the mainland, different sections there, changing backwards and forwards?—A. In my opinion if they were to stop fishing for five years, and let the grounds get stocked thoroughly, if they put no more limit on it when we started fishing again than there is to-day, in three years it would be as bad as ever again. The law that we have to-day, if enforced, would give us good lobster fishing; it is no use trying to cover up facts, I know that.

Q. What is your proposition, do you think that a strict enforcement of the present law is all that is required? Or have you any other suggestion to make?—A. I have a suggestion to make, I believe in selling an article when it is worth the most money, and I believe in fishing when they are plentiful, and my experience has led me to think that under the present conditions as far as markets and men are concerned, that we should be allowed to fish lobsters from the first of October until the first of February, and then close down; have the law strictly enforced and not let a thing be taken until the next October when once the season closes. When the lobsters are high and plentiful that is the time to catch them.

Q. And how about the size, what limit would you enforce?—A. If they would enforce it strictly, I think a ten-inch lobster should be the limit.

Q. Would not that put the canner entirely out of operation?—A. Well, I do not know but that he ought to be put out of business. Of course it is no benefit to the country in general to put him out, but he had better go out than have a thousand fishermen go out. I do not think I ought to give my living to the canner, I think the Government ought to protect my living, because I do not see that I have any right to suffer for the benefit of the canner.

Q. You think that the canning, and the inducement held out by the canner who buys the small lobsters is very much to blame for the present conditions?—A. My experience, and I have tried to find out for myself, has led me to that conclusion.

Q. Is it not the case that the cannery themselves are beginning to slack off, that they feel they must give up here?—A. Yes.

Q. There are none in operation here this year, are there?—A. Yes, I am not prepared to say why they slacked off, but they cannot apparently get enough lobsters, and the canner here was right under the fishery officer's eyes, and if he had been disposed to break the law he did not have much chance; he was, I think a very fair man.

Q. What do you think of the matter of lobster hatcheries?—A. I do not know that I have ever given it much thought.

Q. Of course if you establish a lobster hatchery you have to allow the fishermen to catch the berried lobster and bring her ashore, there she is stripped of her eggs which are taken to the hatchery?—A. Yes, has the experience in connection with these hatcheries proved that they are a benefit to the locality where they are run.

Q. I do not think there is any doubt where the hatchery is in the hands of a suitable man who is careful and attends to his work, and shows enthusiasm in it, they do hatch out a very large percentage of the eggs, there is no doubt about that.—A. They do.

Q. Yes, and the young lobster is put back in the water under the same conditions that he would be if he had been hatched out naturally.—A. My objection to the hatcheries has been that there has been such a conflict of opinion about their usefulness.

Witness discharged.

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CLYDE BROWN, fisherman, Grand Harbour, called:—

By the Commissioner:

Q. You have heard the evidence given by Mr. Ingles?—A. Yes.

Q. Do you agree with what he has said or do you differ from him?—A. I differ only in one particular, that is in regard to the open season for fishing.

Q. What season would you approve of?—A. I think that the season we have now is just adapted to Grand Manan Island, because there are lots of fishermen in the winter time wouldn't have anything to do. If they made a poor fall, and if they were restricted from fishing in the winter they could not make anything, that is the only objection I have.

Q. You want spring fishing as well?—A. Yes, that is my idea.

Q. And you go in for a season as it is at present?—A. Yes.

Q. How about the size limit?—A. I think 10 inches would be all right.

Q. And you would have it strictly enforced?—A. Certainly, it would not be any good if it were not.

Q. Beyond that you agree with what the last witness has stated?—A. Yes.

Witness discharged.

SYDNEY GUPKILL, smackman, Grand Harbour, called and sworn:—

By the Commissioner:

Q. How many years' experience have you in connection with the lobster fishery?—A. Well, on my own account about 17 years, but I have been at it from a boy up.

Q. Previous to that you fished in what particular fishery?—A. I never fished lobsters, but I always bought them and carried them in smacks, except I fished as a pastime.

Q. What is the condition of the fishery to-day as compared with your first recollection of it?—A. It has depreciated all right.

Q. Would you venture to say to what extent?—A. I should think perhaps one fourth.

Q. Of course there are a great many more people fishing and a great deal more gear in the water now?—A. Yes, that is true.

Q. I suppose it takes more gear to keep up the supply?—A. Yes, in the last ten years I do not think it has changed a wonderful lot here.

Q. That is what a good many people all along the coast and in the Gulf say, that the decrease took place some years ago, and that recently it has not been so great.—A. I think our trouble here was when we fished in the month of December, the lobsters had all congregated on the shore to shed in these coves and creeks and they were caught before they got out, for three or four weeks it was slaughter.

Q. How long was that carried on?—A. For three or four years ago when the law was changed until the 6th of January, and that allowed the lobsters to get off the shore so that the fishing has been a little better since then.

Q. What proportion of the total catch here are market lobsters, and what proportion are sold to the canner for canning purposes?—A. Well, in different localities the proportion will vary. In this place right here a fisherman would not catch more than from one to 6, 7, or 8 per day, and six or seven miles offshore he would get a large quantity, perhaps one half.

Q. When they begin to fish on the 6th of January how far offshore do they go?—A. Not far, about the same distance as in the spring.

Q. In what depth of water do they fish?—A. 5 or 6 fathoms.

Q. I suppose in that depth of water they lose a great deal of gear?—A. Sometimes they do and sometimes they do not lose any.

Q. Do they do much fishing in February, March and April?—A. All the time.

Q. From the time the traps are put out in January they fish all the time?—A. All the time.

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Q. Does the fishery keep up during these months?—A. No, January is practically the only month until April again with us.

Q. How is it with April, May and June?—A. Well, from the 1st of April to the 20th of May we get the bulk of our spring fishing, and then it begins to decrease again.

Q. Do the fishermen continue fishing until the end of the season or do they go to other branches of the fishery?—A. Nearly all of them fish the entire season.

Q. Most of them who are engaged in lobster fishing are engaged in other branches of the fishery?—A. Yes, mostly in herring fishery; the spring of the year is the only season when there seems to be nothing else to do but fish lobsters.

Q. About what number of boats are engaged in the fishery in Grand Harbour?—A. I should think there would be 25 or 20, somewhere about that.

Q. There have been no canneries in operation here this year, have there?—A. No, not on Grand Manan.

Q. What is the reason of the canneries having gone out of business?—A. One of the chief reasons as explained to me was there was a large pack of lobsters on the northern shore of New Brunswick and Prince Edward Island, and the market being low, and us being so near the United States that it paid better to ship the small lobsters than to can them.

Q. By small lobsters you mean those between 9 and 10½ inches?—A. Yes.

Q. What has been the practice of the canner here, has he canned everything brought to him? In other places we find that the canner has taken and canned everything down to 4 and 5 inches?—A. There has never been anything as small as that canned here, but at the same time the law has not been observed.

Q. What has been the practice with regard to the berried lobster?—A. I think the bulk of them have been put overboard, there might occasionally be a man who would strip one and sell it, but I do not think that has been done to any great extent.

Q. What has been the market here for market lobsters, how are they disposed of? Are they shipped by fishermen on their own account or sold to smacks?—A. Most of them are sold to the smacks, a few people at White Bay ship their own lobsters.

Q. Are they shipped from Eastport?—A. Through Eastport where they catch the Boston boat.

Q. Otherwise most of them are sold to smacks on the ground?—A. Yes.

Q. Where do those smacks hail from generally?—A. Well the local smacks generally, they have a hold on the fishermen who get things from them and they sell to the smacks from the United States.

Q. There are other smacks from the United States?—A. Yes, and they buy what they can.

Q. Are those smacks generally welled smacks?—A. Yes, they are almost all welled smacks.

Q. What size vessels are they as a rule?—A. 25 or 30 tons.

Q. Is there any fishing done by those smacks outside the limit?—A. I do not think so.

Q. We have met with a condition in Yarmouth and Shelburne counties that rather alarm the fishermen there, that is that smacks are coming down from the United States and fishing outside the 3-mile limit?—A. I do not think they have done anything of that kind here.

Q. There is no question of course as to the decrease of the fishery, and various methods of remedying it have been suggested to the department; some say, stop all lobster fishing for a term of years and then frame new regulations and enforce them; how would that appeal to you?—A. I would not like that.

Q. There are various other propositions, some say adopt the same regulations as they have in the State of Maine, a limit of 10½ inches and fish all the year round?—A. I do not like that either.

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Q. Others say, enforce the present regulations as they are, strictly?—A. Well, I honestly believe that with the law as it stands to-day, if it were strictly enforced here with us, we would always have big lobsters.

Q. That is a season from the 6th of January to the 15th of June, and a 10-inch size limit?—A. Yes, that is honestly what I think, but if I had power to change it I would make it something else.

Q. If you were commissioned to make the lobster law what would you do?—A. My idea is to have a law that will enforce itself, because you cannot get anybody to enforce it, all our fishery laws are in the main all right, but they are not enforced, we cannot get any one to enforce them.

Q. It is very difficult to enforce that size limit, it does not appear to have ever been enforced.—A. I claim that our fishermen in Grand Manan are one of the most law-abiding people to be found anywhere in the world. Now one man can take all the short lobsters that are going, and here it is just like it is everywhere else, you know that in any community you will always find a class of people who are going to violate any law, and if these men are allowed to do that sort of thing others have to do as they do, and that is what has ruined the thing here to such an extent.

Q. That is the destruction of the small lobsters?—A. I can remember 17 years ago, my first year in the lobster smack, we did not think of taking the small lobsters, there was no market for them. The old officer, Mr. W. B. McLaughlin, kept the thing clean, and since then it has not been enforced.

Q. What would be your suggestion?—A. My suggestion probably would not amount to anything because I might stand alone. I do not believe in a size limit because it cannot be enforced, nor would it be enforced, but if you make a close season long enough so that the lobsters will protect themselves, then every man who is found lobster fishing after the close of the season is violating the law; every man who puts a trap in the water does so, but with a size limit you would have to have an officer over every fisherman in order to see that he did right. I would say, give the lobster 9 months of the year and let the fishermen have three months, and during the three months let him take everything but the berried lobster, which should be thrown overboard. In that way the law would enforce itself without any fishery officer.

Q. What three months would you fish?—A. Well, I would say the three months that we have the least to do with the other fisheries, that would be April, May and June.

Q. Do you think that any proportion of small lobsters could be allowed to escape by regulating the width of the space between the slats?—A. No, I did not.

Q. We find in a great many places that the slats have been put closer together; in the olden time they used to be $1\frac{1}{2}$ inches apart, but now in the Straits of Northumberland, especially, they have been narrowed down to a bare half inch which can only have been done with a view of holding the small lobsters?—A. I tell you, if you have the space $1\frac{1}{2}$ inches the lobsters' claw or tail would drop out through it, and when you are hauling the trap over the side of the boat it will smash it, and a lobster without a tail or a claw is not worth much, that is the idea in putting the laths closer together.

Q. What is the standard width of the opening here?—A. I guess about an inch, these traps here are at least an inch.

Q. How would your proposition affect the canning industry, would it put the canner out of business?—A. It would not affect them at all.

Q. Do you think it would not affect them at all?—A. Oh, no, that would be their best season.

Q. They would only can the shorts, a great many of the large lobsters would go to market?—A. Yes, and a good many shorts would go too.

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Q. There isn't any canning anyway outside of Canada and Newfoundland?—A. I mean in the province here, and part of Nova Scotia where they can reach the American market successfully with the live lobsters, they will take about all of them we can send because their lobster is about extinct and they have to have them; but if they cannot get the large ones they will take the small. In New Brunswick and the Gulf they will always have to can them there, it is too far for the live lobster trade to be carried on.

Q. You think that the thing can be more easily governed and controlled by doing away with the size limit and shortening the season?—A. Yes, certainly.

Q. And by always strictly protecting the berried lobster?—A. Yes.

Q. What have you to say about the matter of pounds and hatcheries?—A. I think the hatchery is a good thing, we ought to have one here.

Q. That is one way of protecting the berried lobster, because it pays the fishermen to bring her in and sell her, so that she is not likely to be brushed?—A. That is the practice of the bulk of the fishermen in Grand Manan and Charlotte county, and I think we ought to have a hatchery here; there has been some talk of a hatchery in Campobello which will, I think, stock up the ground for the Americans, but this is the spot where the hatchery should be.

Q. Is there anything more you would like to say?—A. No, nothing, unless it is that I think the law as it stands now strictly enforced would be a good thing.

Q. But you know a still better thing, and a law that it will be easier to enforce, three months' fishing in April, May and June with a strict enforcement of the law and a perfect protection for the berried lobster?—A. Yes.

Q. My own idea is that in the Gulf we should do away with the size limit and give them a two months' season?—A. Two months is all right, that would suit me better, but there are others who might think different.

Q. The fish are coming in shore for the breeding month, which is in July?—A. July, August and September.

Witness discharged.

W. J. MORSE, fisherman, Whitehead, called and sworn:—

By the Commissioner:

Q. What is the extent of your connection with the lobster fishery?—A. We have somewhere in the vicinity of 30 or 40 boats fishing in my neighbourhood.

Q. And those boats are generally manned by two men?—A. Yes, two men.

Q. What is the average number of traps fished?—A. In the winter season it will average nearly one hundred, and in the summer season 125 to 150 traps to two men.

Q. How long have you been connected with the lobster fishing?—A. Ever since I was large enough to get out.

Q. That is for 30 or 40 years?—A. Yes, I am 57 now, and I went at it as soon as I was big enough.

Q. Then you have been fishing at least 40 years?—A. Yes.

Q. In a few words will you tell us what the present condition of the fishery is?—A. It is very poor. My brother and I used to gaff a boat load in the summer around the shore here, and now we can't find one to gaff.

Q. Of course there are a great many boats and a great deal more gear used now?—A. Yes.

Q. To what extent has the gear increased? There were no lobster traps used then?—A. Not in my first experience.

Q. You caught them all by nets?—A. Yes.

Q. You generally used an iron hoop with a net on it?—A. Yes.

Q. And when that played out you went to the traps?—A. Yes.

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Q. That was the old-fashioned trap with a hoop in each end and laths an inch and a half in width?—A. Yes.

Q. And now you use the patent trap?—A. Yes.

Q. Has the space between the laths in the trap been narrowed down?—A. Not very much, they are much the same in that respect.

Q. Have you any cannery at Whitehead where you belong?—A. No.

Q. Has there ever been one there?—A. No. -

Q. What do you do with your lobsters?—A. We ship them usually, and the small ones are carried to the factory.

Q. When you first began fishing there were no regulations at all?—A. No.

Q. And you fished as you please?—A. Yes.

Q. What was the first regulation enforced?—A. Well the first to my remembrance is that, by the American laws, we were governed by the length at which the fish were taken in the United States, we were shipping to that market, and of course we had to ship that length.

Q. And you let everything else go?—A. Yes.

Q. But the first Canadian regulation that was enforced here, what was that?—A. That was a 9½-inch.

Q. Originally there were no regulations?—A. Exactly.

Q. I do not know how it was here, but with us inside the Gulf they first put on August as a close season; we were not allowed to fish in August.—A. At the end of June there was a close season up till December, I think.

Q. That was your first close season?—A. That was about the first I remember.

Q. You knocked off fishing about the end of June?—A. Yes.

Q. And you did not begin again again until December?—A. No.

Q. Can you tell me how long ago that was?—A. No, I cannot remember just what time it was.

Q. When is the principal time of your fishing here?—A. We commence of course on the 6th of January.

Q. And you fish right along until the 15th June?—A. Yes.

Q. What is the best time of your fishing?—A. December is the best month.

Q. Is that the best because your lobsters are a better price then, or are there more lobsters?—A. It is a better price and there is a good catch of lobsters at that season.

Q. How about February and March?—A. February is a dull month but March is better, they begin to crawl again and we get more of them, they circulate round.

Q. I suppose they are dull and loggy in the winter time?—A. Yes.

Q. And how about April?—A. April is a good month.

Q. And what would you say about May?—A. And May is good up to June.

Q. When do you see most berried lobsters with eggs extruded?—A. Not along until the month of May; we find the most of them in June and I suppose if we were fishing we would likely find them in July.

Q. Have the regulations as regard size ever been strictly enforced?—A. Well, it has been tried, but it is not enforced so much as it should be.

Q. How do you generally dispose of your lobsters, do you ship your market fish yourself or do you sell all kinds to the smack?—A. We ship most of them nowadays, we used to sell them to the smacks; we have been shipping for the last two or three years by express to Boston through Eastport.

Q. How many do you put in a crate?—A. We barrel a lot of them, and we can only get about 100 of them in.

Q. As to weight?—A. About 140 pounds in a crate.

Q. Is the size of the crate limited to that?—A. There are no restrictions as to that, if you can get it to overrun that it is beneficial to the fishermen.

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Q. You consign to a commission merchant in Boston?—A. Yes, we have different ones now, we are not tied down to only one man, but the one who does the best and returns the money quickest to the fishermen is the one we go to.

Q. Is there much loss of lobsters by death between here and the market?—A. No, we make quick despatch of them by express, they leave here in the morning and the next morning they are in Boston.

Q. What has been the practice of the fishermen with respect to the berried lobster, has she been stripped and sent to market, or sold to the smackmen?—A. Oh no, they are looked after, the fishermen have sense enough for that.

Q. Has that always been the case?—A. Yes, ever since I knew anything about it, I never knew a fisherman to strip the berries off a lobster.

Q. We have been informed that in this section and in southern Nova Scotia a good many berried lobsters have been shipped to the United States to be planted in the pounds there?—A. If there has been anything of that done I do not know it.

Q. And that they are taken to Eastport and that there the eggs are taken from them and shipped to the hatcheries in the United States?—A. That has not been done here to my knowledge.

Q. To what do you attribute the decrease in the lobsters?—A. To using up so many small ones.

Q. Nine inches is supposed to be the limit?—A. Yes.

Q. But practically the very smallest lobsters have been taken?—A. No doubt.

Q. What becomes of them, do they go to the canner?—A. They go to the canner.

Q. If they do not go to the canner here they go to the canner over the way?—A. Yes, they go in different ways.

Q. Do any of them go to the American market?—A. No.

Q. Most of them go to the cannery in our own province who send smacks here to collect them?—A. Yes.

Q. And they make no bones about accepting anything offered to them?—A. That is about the way it runs.

Q. Now what is your idea as to the best regulation to adopt and enforce for the protection of the lobster for the future? There seems to be very little doubt that if things go on as they have been the lobsters will be practically exterminated?—A. That is right.

Q. And they will go very quickly as things are now?—A. That is true.

Q. What would you suggest?—A. I would suggest that the lobsters should not be taken under 10½ inches, and that they should not be caught before the first of December and that we should be given an open season till June.

Q. Does that include June, or wipe June out?—A. I think we ought to have the month of June; that gives the poor fishermen a chance to make a living, and to go to the other fisheries.

Q. We recognize the needs of the poor fishermen, but we are also trying to look after the poor lobsters; there are very few seem to think of what the lobsters need.—A. Well, to protect the lobster that is the best thing that can be done, I do not think anything better can be done, because if we kill off these little fellows we will have no lobsters in the future at all.

Q. Have you ever remarked the smallest size lobster that you have seen bearing eggs?—A. The smallest sized lobster we ever saw here we found in a cod fish, we got it from a boatman down at the Moro Rock, he took 9 lobsters 4 inches long from one cod fish.

Q. What is the smallest lobster you have ever seen bearing eggs?—A. I do not think I ever saw one under 10½ inches, I do not think I have, generally they are a pretty good size, they are all very large.

Q. Occasionally a lobster is found with spawn attached at 8 inches, but most of them are larger than that?—A. I do not think I have ever seen one as small as that.

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Q. Now is there any other suggestion you would like to make or any further statement in connection with this matter?—A. There is nothing that I can call to memory now that would be beneficial.

Q. Have you any idea the number of crates of lobsters exported from your neighbourhood in a season?—A. I could give you an idea if I had my book. but I did not think to bring it. I carry about half of them, there is another boat on the work.

Q. What is the extent of your shipments?—A. We make our trips every two weeks, we hold them between whiles, and we get from 50 to 60 crates each week for my boat, that will be 120 crates in all for the two boats each week.

Q. When is the market at its best?—A. In the month of February.

Q. Is that because there are fewer lobsters going in at that season?—A. Yes.

Q. Do you think we could regulate the escape of the small lobsters by insisting on a standard trap, with a specified space between the slats?—A. Well, it should be pretty carefully done, because the lobster will go through a pretty small space, they are a very strong thing.

Q. We find in very many places that the space is not more than half an inch. but you have nothing as small as that here?—A. No, we have nothing like that here. about $1\frac{1}{2}$ inches is what all our men have, because the little fellows are no good and our fishermen would rather have them escape and not catch them until they are worth something.

Witness discharged.

Commission adjourned sine die.

CARLETON, October 14, 1909.

I, BERNARD LECLERC, of Carleton, in the County of Bonaventure, P.Q., being duly sworn, declare and say as follows:—

That I have engaged in fishing and packing lobsters for over thirty years. I began fishing here for the Messrs. Hoegg—who were the first to pack lobsters at Carleton. I also fished lobsters at Port Daniel, and Pabos, on this coast, and at Grande Anse, in New Brunswick. For the past 19 years I have been packing on my own account at Carleton. When I first began to fish here for the Hoeggs lobsters were very abundant. We then fished all the season long. I find the lobsters now about the same size—but not so many of them. I got them this season as big as ever I saw them here. The second summer I began packing here for myself I put up 200 cases, with 300 traps fished by four men. We used then to fish to the 20th August. Sometimes then we had an extension of 15 days. I have gradually reduced my fishing, as with the present short season it does not pay me to go to any great expense. My experience is that owing the immense amount of herring spawn in Carleton bay, among the seaweed, the lobsters will not trap in May. This was the same always. When I was with Hoeggs they did nothing in May, they only began in June, but they then had a long season to August and began again in September and packed in the fall. On the New Brunswick shore abreast of here they get lobsters early in the spring but the herring do not spawn on that shore as they do here. All the lobsters we get here are large, very few under nine inch lobsters. I do not find it pays me to pack smaller ones, and I do not take them, my experience here is that we see more egg bearing lobsters in June, and May even, than we do later. When I notice that a lobster has eggs outside I put her back, but we never see very many of them. This season I only packed eleven boxes. I sold a good many fish boiled. This season I fished 150 traps. I fished myself with one man. I do my best fishing from the 15th June up to the 10th July, but I would do much better here if I could fish in September and October. I am confident that I could put up then 100 cases with 150 traps. I am the only one fishing for, and canning lobsters here. The nearest cannery on this coast operating this season was near Port Daniel, 75 miles below here. There is one at New Mills on the New Brunswick shore 12 miles across. It is run by Hoeggs. If I am ever to can lobsters profitably here I can only do it with a much longer season, or by canning only in September or October.

(Signed) BERNARD LECLERC.

Sworn before me at Carleton, this 14th day of October, 1909.

WM. WAKEHAM,
Commissioner of Police.

RETURN

(22a)

REPORT of Commander Wm. Wakeham, Special Commissioner and Inspector of Fisheries for the Gulf of St. Lawrence, on the Lobster Industry of the Maritime Provinces and the Province of Quebec.

GASPÉ BASIN, January 6, 1910.

The Honourable L. P. BRODEUR,
Minister of Marine and Fisheries,
Ottawa, Canada.

SIR,—In compliance with the terms of an order in council, approved June 21, 1909, appointing the undersigned a commissioner to visit the chief points in the maritime provinces and the province of Quebec, where the lobster industry is carried on, and to take evidence concerning the condition of the fishery, for the information of the Standing Committee of Parliament on Marine and Fisheries, I beg to say that I began the work in question at the Magdalen islands on July 12 and finished it at Grand Manan on September 22.

I was assisted during the first half of the inquiry by Mr. W. H. Dickson, of Ottawa, and for the latter half by Mr. C. A. Matthews. As both these gentlemen had assisted in taking the evidence already gathered by the committee at Ottawa during the session of 1908 and 1909, and were fully aware of the wishes and views of the committee in the matter, it is needless to say that they were of the greatest assistance to me in many ways.

I was also fully instructed by the Superintendent of Fisheries in a very ample letter of directions dated June 1 as to the nature and trend of the evidence already taken, and the main points which it would be necessary to establish with a view to the preparation of further regulations for the future control of the lobster industry.

An itinerary had been prepared after consultation with the members of the committee by the gentleman whom it was first expected would be detailed to hold the inquiry; a copy of this programme was furnished me, and as far as it went I followed it closely. It began at Lamèque, in northern New Brunswick, and ended at Liscombe, Nova Scotia, taking in all of northern New Brunswick, Prince Edward Island and the coast of Nova Scotia from the boundary line in the Strait of Northumberland as far along the Atlantic coast as Liscombe, including the whole of Cape Breton. From Liscombe to Grand Manan we prepared a further itinerary, after consultation with the members of the committee and others whom we considered competent to advise us.

As the time was limited the work had to be hurried, and we were obliged to restrict the number of meeting places to two, or at most three, for each county. The dates of meeting had to be established beforehand, and naturally had to be lived sharply up to or confusion would have followed. Posters were sent to the postmasters at all the points fixed for taking evidence, and where the gentlemen of the committee or others consulted wished to have a further supply of these, they were furnished.

In some cases when requested by the members interested, notices of the meetings were published in the local papers or special invitations to attend sent to gentlemen whom it was desired to have testify. In view of the long seacoast line to be covered,

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and the short time at our disposal, I do not see that we could have done much better than we did.

No time has been lost in preparing the evidence, which should be ready for the first meeting of the committee.

As might have been expected, the evidence is extremely conflicting, and from it alone it would be difficult to base any regulations for the future of the lobster fishery.

It is not necessary for me to go into any detail as to the life history of the lobster; all this has been already submitted to the committee by the Commissioner of Fisheries much more thoroughly than I could ever hope to do it; nor is it necessary for me to furnish statistics as to the history and condition of the lobster packing industry or of the live lobster trade; all this I find has been very thoroughly done by the Superintendent of Fisheries in the Departmental Report for 1908-9 just published.

It therefore only remains for me to submit a synopsis of the evidence taken, together with such remarks and suggestions as my personal knowledge of the fishery may warrant me in making.

The pioneers of the lobster canning industry in Canada were either United States citizens, who had been engaged in it along the northern shores of the United States, or Canadians who had learned the methods of the industry from our neighbours and saw the wonderful opening which our own waters offered for its continuance here. This was hastened by the fact that the fishery was already being exhausted wherever lobster canneries were operated from Massachusetts to Maine.

Some canning of lobsters had already been done in the Gulf of St. Lawrence before the arrival of the United States canners. It had been customary to can salmon, as in those days prior to the construction of the Intercolonial railroad the trade in fresh salmon had not developed, refrigerator cars and freezers being then unknown, the bulk of the salmon caught was either salted or smoked. Those who put up canneries for salmon usually canned a small quantity of lobsters; but there was no distinct and general lobster fishery carried on. Lobsters were found everywhere in great abundance, and when washed ashore after a heavy gale of wind were collected and spread on the land for manure; a few old country people fished lobster pots made of willow or alder twigs laced over a framework, much in the shape of the old-fashioned straw beehives, with an opening in the top through which the lobster crawled to find the bait below, or a simple meshing of net was laced in an iron hoop on this netting, being lashed the bait, usually a cod head. This hoop was sunk off the end of a wharf or from a boat, and when the lobster was felt at the bait or seen on the hoop the whole was rapidly hauled up.

A favourite amusement for young people in those days was the flambeauing of lobsters, when they were hauled out of their nests and hiding places among the rocks and kelp with a cod hook on the end of a pole. Where scores of lobsters could be gaffed in this way in a couple of hours in the inner bays and harbours forty years ago simply for amusement, not one can be found now.

As soon as canneries were established and the use of the present traps became general, the lobsters seemed to be held outside by the bait, and we ceased to find them, until later in the season, in the harbours and coves where they formerly abounded.

A noticeable instance of the way lobsters are held by the bait is furnished at Carleton bay, in the head of the Bay Chaleur. At one time lobsters were as plentiful there as anywhere else in the Bay of Chaleur; but now they are never found until after the close of the open season, when the baiting having stopped below, they move up into the shoaler waters at the head of the bay. This same thing is noticeable everywhere where the same conditions exist. I think that there can be no doubt that lobsters travel further and go into deeper water than we have been used to believe.

I am aware of several instances where cod fishermen have taken lobsters in ninety fathoms of water.

There are certain facts clearly established by the evidence in connection with the history and methods of the fishery which are known to every one who has had any-

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thing to do with the matter. These seem to me to offer very clearly a guide to the regulations which should be ordained for the future control of the industry.

1. That when the canning industry was first established on our coasts lobsters were abundant everywhere from Grand Manan to the Strait of Belle Isle, which is the northern limit of the lobster.

2. The evidence of the older fishermen and packers shows that the lobsters have decreased in size everywhere, and that the pack is being maintained by the greatly increased efforts of the fishermen, more boats are fishing, more traps are used, the traps used are improved in that they hold practically everything that enters them; with lighter traps, and motor boats, fishermen are fishing in deeper waters and covering more ground generally.

3. The amount of gear used has steadily increased, and the tendency is still further to increase it, instead of the old-fashioned trap or double-ender made the full length of the lath, with an opening in each end and a space of at least one and one-half inches between the slats we now have in general use smaller and lighter traps, known as the 'wheeler,' 'diamond,' 'parlour' or 'jail' trap, and the space between the slats has been reduced in some localities until there is but little more than half an inch left. The entrances in this modern trap all lead to a chamber, 'parlour' or 'jail,' which it is difficult for the lobster to escape from, by the road he has entered, while he cannot escape between the slats as the undersized ones did in the old trap with its wider space.

4. The universal practice of the fishermen is to meet the incoming schools of lobsters in deep water at the opening of the season, and as the season advances to follow the fish into shoal waters.

5. The great preponderance of the evidence shows, that as the season advances the proportion of small undersized lobsters taken in the inshore shoaler waters, increases. It is also very generally admitted that as the season advances the catch of female lobsters with extruded eggs is greatly increased. All this tallies with what we know must occur if the lobster approaches the shoaler, and consequently warmer water, for the purpose of hastening the development of the egg and facilitating the moulting process. It therefore follows that the greatest destruction and waste takes place towards the close of the ordinary fishing season, and that when extensions have been granted fishing has been permitted at a time calculated to do the greatest possible injury.

6. It is shown that it is impossible to have one universal close time for the whole coast, the climatic and ice conditions are such that different sections of the coast demand different seasons.

7. It is clearly proved that the regulation as regards the size limit is not observed, that it never was observed; that from the earlier times cannerymen never refused small lobsters; that they are to-day taking smaller lobsters than they did years ago is shown beyond doubt by the style of trap now used, which captures and holds lobsters that would easily have escaped from the old fashioned engine.

8. It is almost universally admitted that a strict enforcement of even an eight inch limit would close up the canneries and shut off the fishermen. Captain Gordon's report of twenty years ago shows that a strict enforcement of the then nine inch limit would have closed down both cannerymen and fishermen; that it was necessary to put an armed guard on the cannery to enforce the regulation. This condition is intensified to-day and it is true not only of the Gulf of St. Lawrence but also of the fishery everywhere. In fact, the conditions are really worse on the Atlantic coast, as with a nine inch limit for market lobsters the cannerymen have only the undersized ones left to can. Wherever the facilities for carrying on the live lobster trade exist the cannerymen must be reduced to the use of undersized lobsters.

9. The evidence as regards the berried lobster regulation is very doubtful. A few acknowledge to, at some time, having violated this themselves, a great many believe

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that others than themselves have violated it. There is no doubt that it has been constantly violated. Berried lobsters have gone into the boilers intact and where the canners have tried to be strict the berries have been washed off outside. There is, however, no doubt that an increasing number of fishermen are becoming alive to the necessity for protecting this lobster, and it is the case, that the formation of Fishermen's Unions with the consequent bringing together of the fishermen and the resulting discussions as to the regulations, and future of the fishery, has greatly conduced to a better observance of the regulations.

10. As regards the traps the evidence undoubtedly shows that the tendency has been to narrow the space between the slats and to lessen the size of the mesh in the end, so as to hold the smaller lobsters required to keep up the pack. The trap as now built has generally a space of less than one inch between the slats and when the trap has become water soaked the space is still further contracted.

The first indication of a failing fishery, due to over fishing, is always a decrease in the average size of the fish, and this is invariably met by the fishermen by making the mesh of the trap or gill-net smaller. We have this plainly shown in the gill-net fisheries of the great lakes and just the same practice has been followed by the lobster fishermen in reducing the 'mesh' in his trap. As the average run of the lobsters became smaller it became necessary, if the catch had to be kept up, to narrow the outlets and to make them more complicated so as to hold everything that entered the trap. Some difference of opinion exists as to the extent to which small lobsters try to escape out of the trap; but by the fact of the increasing ingenuity which is everywhere being exercised to hold them, it is shown more clearly and positively than it could be by any verbal evidence that they did escape under former conditions with the original traps and that the modern engine is being perfected so as to hold them. We know that when disturbed and alarmed a lobster can move short distances with great speed and wonderful accuracy. Any one who has ever fished for lobsters must have noticed how quickly and accurately they can shoot themselves out of the funnel-like openings in the end of the traps.

There can be no doubt whatever that at least a proportion of small lobsters would escape out of the traps were a sufficient opening allowed and it is just as reasonable to insist on a fixed opening between the slats, and in the mesh of the net, at the end of the traps as it is in the case of salmon or whitefish gill-nets.

11. As regards the matter of licensing canneries some difference of opinion exists; but a majority are of opinion that any one showing his ability and competence to operate a cannery should be allowed to do so. All are agreed that the canneries should be subject to inspection and that a certain standard should be insisted upon. The general opinion of those most competent to judge is that it is not necessary to have the product inspected officially; that this is pretty well provided for already by the purchasing agents, who visit the canneries to inspect and check the work during the packing season. There are certain marks or brands, particularly of the older packers, which are accepted everywhere. No official inspection would carry as strong a guarantee as these well known brands already do.

All are agreed that the recent decision of the minister to grant what are known as 'co-operative licenses' furnishes fishermen with the means of freeing themselves from any disposition on the part of the canner to unfairly keep down the price paid them for their product.

I would strongly advise against the practice of issuing a great number of licenses to one firm or individual, especially along the same stretch of coast. This is neither in the interest of the fishermen or the fishery. It is quite reasonable that large operators should expect to control a number of licenses; but these should be scattered over the coast, and even to the larger operators there should be some limit to the number of licenses issued.

12. As regards the proposition of licensing the fisherman before allowing him to fish for lobsters, a great difference of opinion exists. The majority of fishermen

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believe the idea to be a good one, and hold that it would have a good effect, particularly as regards the protection of the berried lobster. Others, and with these I certainly agree, think that it would only complicate matters; that it would entail a great deal of extra work; that very few fishermen would feel themselves bound by it, and that if fishermen generally became informers, one on the other, it would lead to quarrelling, with destruction of gear, &c.

13. The majority of fishermen own their own boats and gear; but in the Strait of Northumberland, northern New Brunswick and to a considerable extent in Prince Edward Island, the boat and gear is owned by the canner. Where this is the case the majority of the men fishing for the canner are not bona fide fishermen, but shore men of various callings, largely the poorer class of farmers, who find it difficult to get ready cash in any other way. The lobster fishery offers the first employment to be had in the spring, and the payments made in connection with it are generally made in cash. This class of fishermen is less likely to show consideration for laws and regulations governing the fishery than the regular fishermen, who depend upon the sea for their living, and who when they find the lobster fishery slacking off turn at once to other branches of the fisheries. These farmer fishermen, not being altogether dependent on the fishing and hoping by its aid in a short time to clear themselves, want to make all they can out of it for the present and are utterly careless of it for the future.

14. As to the existence of a combine among packers to keep down prices, the feeling is general among the fishermen that something of the kind exists; but this is only a suspicion. Packers invariably deny the existence of any such arrangement, and there is no proof whatever that anything of the kind exists. Considering the considerable number of packers and the hosts of men employed in various ways in connection with the industry, afloat and ashore, one cannot but remark as to the general good feeling that exists. In the beginning of the industry lobsters were invariably bought by count, and the price ranged as low as thirty cents per hundred. As the run of lobsters became smaller undersized ones were taken at two for one; but when they got smaller still the custom changed, and payment is now generally made by weight, market fish being still bought by count. The history of this change in the method of payment, together with the nearly universal practice of narrowing the slats and making the trap more of a jail than it was originally, offers the best possible proof of the decrease in the average size of the fish and the methods adopted, all round, to capture, hold and dispose of the undersized fish to the packer.

Competition among packers did exist in 1907 and 1908. Prices in some localities, where competition was keen, ran up to \$5.50, and even more, per hundred pounds. This was altogether too much and more than the packers were ever warranted in paying. Some retired from the competition and closed down. The thing was overdone and the natural results followed. Stocks increased, the market was glutted and in the spring of 1909 packers were forced to offer much lower prices to the fishermen. Perhaps as much too low as they were too high the year before. The result was a good deal of dissatisfaction and ill-feeling as between fishermen and canners and where the fishermen were organized and leaders came to the front among them with the instinct and training for organization and strikes the material for a very pretty row was at hand. After all, considering the conditions and the sudden drop in prices there was very little friction. In most places prices were slightly advanced before the end of the season and the feeling is general that in 1910 a fairer or more remunerative price will be paid the fishermen, in which case we will find no great demand for co-operative licenses.

In the matter of these co-operative licenses care will have to be exercised, as I am afraid that in some instances parties who have been refused licenses on their own account have managed to associate with themselves a sufficient number of fishermen to obtain a co-operative license, the fishermen having put nothing whatever into the co-operation and not even selling their fish to it.

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15. As regards the granting of canning licenses to aliens there is really no feeling. The aliens were largely the pioneers of the industry. They have been liberal and straight in their dealings with the fishermen, their brands command the confidence of the markets. In the early days some of their managers and many of their skilled operators were brought in from the United States. This was unavoidable. This is no longer the case. These men either settled here and became Canadian citizens or their places were taken by Canadians. Every particle of the material and all the labour employed in the industry is Canadian, the only alien thing about it being the capital. Of course it is quite reasonably felt that viewing the great extent of the industry to-day, when new licenses have to be issued resident Canadians should have the preference.

I believe I have in the above clauses recited as fairly as possible all the principal facts connected with the conduct and prosecution of the fishery, as brought forth by the evidence, and there remains, therefore, only, the question of the right divisions to be made of the coast, with the regulations best adapted for each.

There is one thing to be remarked and that is the wonderful vitality of the lobster fishery. The methods and practices of the fishermen have been destructive from every point of view. The berried lobster has been destroyed from the beginning. Under-sized and immature fish have been taken and utilized by the canner from the earliest days of the industry. The pack is being maintained by taking these small fish in annually increasing numbers, while even the close season, admittedly the most easily enforced of all the regulations, has not everywhere been rigorously observed. As regards this matter there is no doubt that the regulation affecting the close season is now being more strictly enforced than it used to be. Yet it is shown by the evidence and more clearly still by Mr. Venning's statistics that the pack shows no falling off. Those of us who are on the spot know that it is being maintained, as the evidence shows, by increased effort and more destructive methods. What we have to fear and what thoughtful fishermen and cannery are anxious about is a sudden collapse. The fishery as it is being practised cannot stand the drain forever.

SUGGESTED COASTAL DIVISIONS.

Division No. 1.—All that portion of coast from the boundary of the State of Maine, east and north to a line running in a southeasterly direction seawards from St. George's Island, Halifax Harbour, this to include the waters about Grand Manan, the Bay of Fundy and St. Mary's Bay, being Division 'A' as outlined in the report of the Lobster Commission of 1898.

Division No. 2.—The waters east and north of the line running out of Halifax Harbour, including all that part of the coast of Nova Scotia, extending to the Gut of Canso and including the waters of the Gut to its western end and all that part of Richmond county to Red Point, being subdivision 'B' of the Lobster Commission of 1898.

Division No. 3.—All the waters of Cape Breton from Red Point, extending along the east and north shore to Cape St. Lawrence, being subdivision 'C' of the Lobster Commission of 1898.

Division No. 4.—The waters of Cape Breton south from Cape St. Lawrence to the western entrance of the Gut of Canso, the shore of the mainland of Nova Scotia from the western end of the Gut of Canso to the boundary line between that province and New Brunswick. All the waters of Prince Edward Island, save that portion extending in the Strait of Northumberland from Carleton Head to West Point. All the waters of northern New Brunswick from Chockfish river, north and west to the mouth of the Restigouche river, and all the waters of the province of Quebec fronting on the county of Bonaventure and the mainland of Gaspé county.

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Division No. 5.—The waters of the Strait of Northumberland comprised within the line drawn from the boundary between the provinces of Nova Scotia and New Brunswick to Carleton Head, Prince Edward Island, and extending west to a line drawn from Chockfish river to West Point, Prince Edward Island, being subdivision 'B' of the Lobster Commission of 1898, extended from Cape Tormentine east so as to include the coast line of New Brunswick up to its eastern boundary.

Division No. 6.—The waters of the Magdalen islands.

Division No. 7.—The waters of the County of Saguenay, on the north shore of the gulf, including the Island of Anticosti.

REGULATIONS.

The following regulations to be enforced in the above divisions:—

Division No. 1.—Fishing to begin on November 15 and end on May 1, with a size limit of ten and one-half inches, or better its equivalent, of four and three-quarter inch carapace measurement. In the County of Charlotte, New Brunswick, I would prohibit the canning of lobsters, as if they are permitted to be canned there will be smuggling of undersized lobsters from the waters of Maine. If it is found profitable for lobster dealers or fishermen to hold legal lobsters in licensed pounds during the legal season, so that they may be held and shipped as the market demands, I see no objection to this permission being granted, all lobsters held in these pounds to be liberated at the close of the open season.

Division No. 2.—A season extending from April 1 to June 15, with no size limit.

Division No. 3.—A season extending from May 1 to July 15, with no size limit.

Division No. 4.—A season extending from April 20 to July 1, with no size limit.

Division No. 5.—A season extending from August 10 to October 15, with no size limit.

I cannot believe that it can be right to permit the fishing and canning of lobsters in the Strait of Northumberland during the month of July. If the season, as I have fixed it, is not acceptable, then the same dates as I have suggested for the rest of the island and northern New Brunswick should be made to apply in this district. A great many fishermen on both shores favour a later fishing season than that now in force. I believe that even a two weeks later season than I have suggested would be better from a protective point of view. There is also a question as to whether the fall season would not be the best for the whole south shore of the island.

Division No. 6.—A season extending from May 1 to July 20, with no size limit.

Division No. 7.—A season extending from May 20 to August 1, with no size limit.

The use of a standard trap to be everywhere enforced after two years notice, to have a clear space of one inch and a quarter between the slats when in use, and a mesh of three inches,—extension measure—in the ends, when netting is used, and no other kind of engine to be used anywhere for the taking of lobsters.

No fishing for lobsters to be permitted anywhere in less than two fathoms of water and no fishing in lagoons or shallow bays having narrow inlets, where the lobsters do not winter and in which they seem to seek asylum during the warm weather of July, August and September.

The berried lobster to be everywhere rigidly protected. This lobster to be replaced carefully in the water by the fishermen on the ground where the trap is being fished. The number of these lobsters taken during the season is not so great that the fishermen

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will lose much time in placing them carefully back in the water. I cannot feel that it is the right that the fisherman should have to be paid for the protection of this lobster, he more than any one else is interested in her protection, and he must be either *educated* or *compelled* to protect her. Having to compensate him for doing so, seems to me a vicious practice.

The matter of new licenses to can is one that should be dealt with by the department on a report from the inspector, who should know the conditions and necessities in each locality in his inspectorate and be prepared to say whether new licenses should be issued or not. I do not see why this matter cannot be dealt with just as easily and as fairly as we now deal with applications for salmon-net licenses or trap-net berths.

Canneries should be visited regularly by the inspectors, who should report to the department in every case where the conditions are such that a perfectly clean and pure product is not assured, and after one warning, in such a case ~~the~~ license should be cancelled. There are canning licenses now issued to people who are canning in their houses and barns, where the sanitary conditions are such as to make the food product there prepared, quite unsafe. Modern hygiene demands that this sort of thing be no longer possible. This sort of cannery is always run by the poorest class of operators. These are the people that fish themselves and can their own product. They are generally the ones who wish to fish in the lagoons and shallow bays and who operate out of season. By shutting down on them we will lay ourselves open to the charge of crushing the poor man, &c., but what will you have. Anything in the shape of a standard cannery will put them out of business at once.

I consider that the license fee for canning should be considerably raised. The present fee is a nonsensical one. A sufficient sum should be raised by means of this fee to pay, in part at least, for the extra cost of guardianship.

Any regulations imposed should be carried out universally and absolutely. They should be such as it is possible to enforce with a reasonable staff. If it is decided to adopt the standard trap and the strict protection of the berried lobster, this can best be done by officers afloat among the fishermen, and for this we will require active, reliable young men and a fleet of wholesome motor boats, able to keep about among the fishermen where they are hauling their traps. All the officers and men employed at this work will have to be better paid than most of them are at present, and we will require their whole time during the lobster fishing season.

I have recommended a long open season and a large size limit for No. 1 division, because in this division the facilities exist for carrying on the live or fresh market fishery, which if not absolutely paramount at present, soon will be. With the development of this branch of the fishery new markets will open. We will not forever be confined to Boston. With more rapid transit and increased cold storage facilities live lobsters can be sent much further west than they are at present, and even the European markets can be supplied.

I am informed by leading hotel men and club stewards that the demand is for broilers. This requires a live lobster; but for the ordinary boiled lobster I should greatly prefer one boiled in salt water, absolutely fresh when he is landed and cooked, carefully and neatly packed and held or forwarded in cold storage, to the market where he is to be consumed. I cannot believe that a lobster taken out of deep, cool water and exposed in an open boat to the sun and weather for hours before being brought ashore, then being transferred to a car, floating at the surface in shallow water and held there unfed for several days, before being again taken out packed in a close box or barrel and forwarded several hundred miles to a market where, if he is not immediately wanted, he is again placed in a surface car, floating between the wharfs in some city harbour, exposed to contamination from sewage and other pollutions, where he is again held some days, or until the demand occurs, possibly in some inland town, when he is again packed in a crate and forwarded by express to his point of final consumption, can be in perfect condition, and those who eat him have very little idea of what a

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really fresh lobster is like. The boiled lobster of the future will be cooked where he is first landed and held in cold storage until he is wanted. For several years at Anticosti it has been the practice to cook lobsters quite fresh from the water and hold them in a cool room. I have eaten these lobsters in the fall, they having been put up in June. They were in perfect condition and no one could have told that they were not fresh from the boiler.

I quite understand that protests will be made from many quarters as to the suggestions I have made for the best regulations for division No. 1, but in the face of the price received by fishermen for canning lobsters as compared with that paid for the market fish, and viewing the possibilities of the fresh lobster trade, coupled with the knowledge that in two seasons the undersized lobster of to-day will have grown to market dimensions, when he will fetch from five to ten times the price that he does to-day, I can hardly see how any intelligent person can object to the proposed regulation.

I can only see two ways of protecting the lobster. One is by means of a large size limit, when he may be safely fished for through a longer season, and the other by so curtailing the fishing season and regulating the engine in which the lobster is captured as to permit of the escape of such a percentage of immature fish that we will hope to allow of the survival each season of enough to keep up the supply.

As to the question of lobster hatcheries and pounds I do not feel that I am competent to express an opinion, this is a matter best dealt with by the experts of the department. The evidence shows that there is a pretty general feeling in favour of the establishment of more hatcheries and that wherever pounds can be supplied they should be under the direct management of the department. To the ordinary layman it would seem that the true way of protecting the breeding female lobster must be to return her at once to her natural hatching ground, hatching lobsters being a different business altogether from hatching fish.

There are a few other matters, such as the labelling of the cases, the prohibition of what are known as 'cracking houses,' &c., which I hardly need to express an opinion about. These minor questions are best dealt with by the departmental officials, after consultation with their outside agents, the inspectors.

In conclusion I beg to submit this report as the honest effort of one who has had over forty years connection with the fishing coast and its people, to suggest some practical and plain regulations for the preservation of the fishery, which it should be possible to enforce, with a minimum of friction and cost.

WILLIAM WAKEHAM,

Special Commissioner and Inspector of Fisheries for the Gulf of St. Lawrence.

